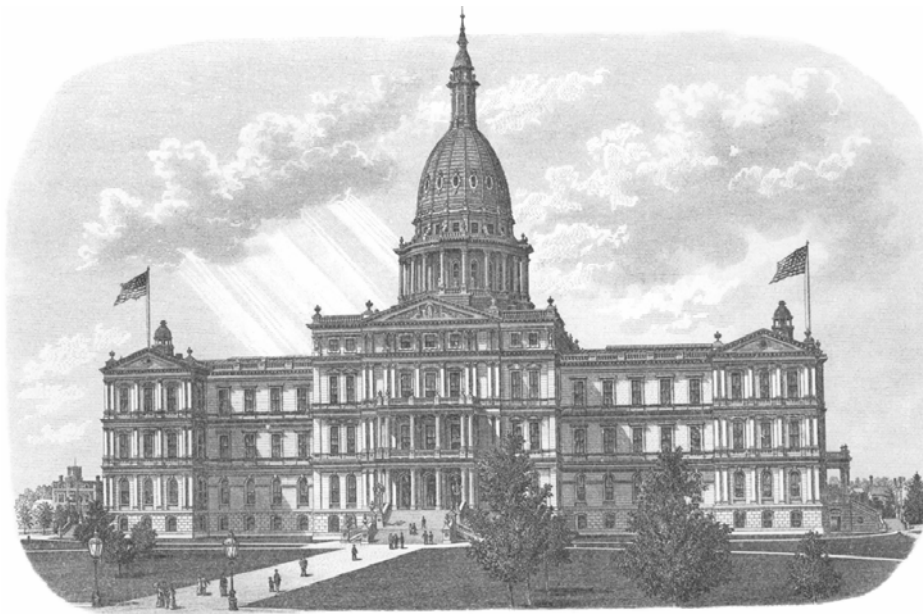


Michigan Register

Issue No. 6— 2008 (Published April 15, 2008)



GRAPHIC IMAGES IN THE MICHIGAN REGISTER

COVER DRAWING

Michigan State Capitol:

This image, with flags flying to indicate that both chambers of the legislature are in session, may have originated as an etching based on a drawing or a photograph. The artist is unknown. The drawing predates the placement of the statue of Austin T. Blair on the capitol grounds in 1898.

(Michigan State Archives)

PAGE GRAPHICS

Capitol Dome:

The architectural rendering of the Michigan State Capitol's dome is the work of Elijah E. Myers, the building's renowned architect. Myers inked the rendering on linen in late 1871 or early 1872. Myers' fine draftsmanship, the hallmark of his work, is clearly evident.

Because of their size, few architectural renderings of the 19th century have survived. Michigan is fortunate that many of Myers' designs for the Capitol were found in the building's attic in the 1950's. As part of the state's 1987 sesquicentennial celebration, they were conserved and deposited in the Michigan State Archives.

(Michigan State Archives)

East Elevation of the Michigan State Capitol:

When Myers' drawings were discovered in the 1950's, this view of the Capitol – the one most familiar to Michigan citizens – was missing. During the building's recent restoration (1989-1992), this drawing was commissioned to recreate the architect's original rendering of the east (front) elevation.

(Michigan Capitol Committee)

Michigan Register

Published pursuant to § 24.208 of
The Michigan Compiled Laws



Issue No. 6— 2008

(This issue, published April 15, 2008, contains
documents filed from March 15, 2008 to April 1, 2008)

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Jennifer M. Granholm, Governor



John D. Cherry Jr., Lieutenant Governor

PREFACE

PUBLICATION AND CONTENTS OF THE MICHIGAN REGISTER

The State Office of Administrative Hearings and Rules publishes the *Michigan Register*.

While several statutory provisions address the publication and contents of the *Michigan Register*, two are of particular importance.

MCL 24.208 states:

Sec. 8 (1) The State Office of Administrative Hearings and Rules shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

- (a) Executive orders and executive reorganization orders.
 - (b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.
 - (c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.
 - (d) Proposed administrative rules.
 - (e) Notices of public hearings on proposed administrative rules.
 - (f) Administrative rules filed with the secretary of state.
 - (g) Emergency rules filed with the secretary of state.
 - (h) Notice of proposed and adopted agency guidelines.
 - (i) Other official information considered necessary or appropriate by the State Office of Administrative Hearings and Rules.
 - (j) Attorney general opinions.
 - (k) All of the items listed in section 7(1) after final approval by the certificate of need commission or the statewide health coordinating council under section 22215 or 22217 of the public health code, 1978 PA 368, MCL 333.22215 and 333.22217.
- (2) The State Office of Administrative Hearings and Rules shall publish a cumulative index for the Michigan register.
 - (3) The Michigan register shall be available for public subscription at a fee reasonably calculated to cover publication and distribution costs.
 - (4) If publication of an agency's proposed rule or guideline or an item described in subsection (1)(k) would be unreasonably expensive or lengthy, the State Office of Administrative Hearings and Rules may publish a brief synopsis of the proposed rule or guideline or item described in subsection (1)(k), including information on how to obtain a complete copy of the proposed rule or guideline or item described in subsection (1)(k) from the agency at no cost.
 - (5) An agency shall transmit a copy of the proposed rules and notice of public hearing to the State Office of Administrative Hearings and Rules for publication in the Michigan register.

MCL 4.1203 states:

Sec. 203. (1) The Michigan register fund is created in the state treasury and shall be administered by the State Office of Administrative Hearings and Rules. The fund shall be expended only as provided in this section.

- (2) The money received from the sale of the Michigan register, along with those amounts paid by state agencies pursuant to section 57 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.257, shall be deposited with the state treasurer and credited to the Michigan register fund.
- (3) The Michigan register fund shall be used to pay the costs preparing, printing, and distributing the Michigan register.
- (4) The department of management and budget shall sell copies of Michigan register at a price determined by the State Office of Administrative Hearings and Rules not to exceed cost of preparation, printing, and distribution.
- (5) Notwithstanding section 204, beginning January 1, 2001, the State Office of Administrative Hearings and Rules shall make the text of the Michigan register available to the public on the internet.
- (6) The information described in subsection (5) that is maintained by the State Office of Administrative Hearings and Rules shall be made available in the shortest feasible time after the information is available. The information described in subsection (5) that is not maintained by the State Office of Administrative Hearings and Rules shall be made available in the shortest feasible time after it is made available to the State Office of Administrative Hearings and Rules.
- (7) Subsection (5) does not alter or relinquish any copyright or other proprietary interest or entitlement of this state relating to any of the information made available under subsection (5).
- (8) The State Office of Administrative Hearings and Rules shall not charge a fee for providing the Michigan register on the internet as provided in subsection (5).
- (9) As used in this section, "Michigan register" means that term as defined in section 5 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.205.

CITATION TO THE MICHIGAN REGISTER

The *Michigan Register* is cited by year and issue number. For example, 2001 MR 1 refers to the year of issue (2001) and the issue number (1).

CLOSING DATES AND PUBLICATION SCHEDULE

The deadlines for submitting documents to the State Office of Administrative Hearings and Rules for publication in the *Michigan Register* are the first and fifteenth days of each calendar month, unless the submission day falls on a Saturday, Sunday, or legal holiday, in which event the deadline is extended to include the next day which is not a Saturday, Sunday, or legal holiday. Documents filed or received after 5:00 p.m. on the closing date of a filing period will appear in the succeeding issue of the *Michigan Register*.

The State Office of Administrative Hearings and Rules is not responsible for the editing and proofreading of documents submitted for publication.

Documents submitted for publication should be delivered or mailed in an electronic format to the following address: MICHIGAN REGISTER, State Office of Administrative Hearings and Rules, Ottawa Building - Second Floor, 611 W. Ottawa, P.O. Box 30695, Lansing, MI 48933.

RELATIONSHIP TO THE MICHIGAN ADMINISTRATIVE CODE

The *Michigan Administrative Code* (1979 edition), which contains all permanent administrative rules in effect as of December 1979, was, during the period 1980-83, updated each calendar quarter with the publication of a paperback supplement. An annual supplement contained those permanent rules, which had appeared in the 4 quarterly supplements covering that year.

Quarterly supplements to the Code were discontinued in January 1984, and replaced by the monthly publication of permanent rules and emergency rules in the *Michigan Register*. Annual supplements have included the full text of those permanent rules that appear in the twelve monthly issues of the *Register* during a given calendar year. Emergency rules published in an issue of the *Register* are noted in the annual supplement to the Code.

SUBSCRIPTIONS AND DISTRIBUTION

The *Michigan Register*, a publication of the State of Michigan, is available for public subscription at a cost of \$400.00 per year. Submit subscription requests to: State Office of Administrative Hearings and Rules, Ottawa Building - Second Floor, 611 W. Ottawa, P.O. Box 30695, Lansing, MI 48933. Checks Payable: State of Michigan. Any questions should be directed to the State Office of Administrative Hearings and Rules (517) 335-2484.

INTERNET ACCESS

The *Michigan Register* can be viewed free of charge on the Internet web site of the State Office of Administrative Hearings and Rules: www.michigan.gov/cis/0,1607,7-154-10576_35738---,00.html

Issue 2000-3 and all subsequent editions of the *Michigan Register* can be viewed on the State Office of Administrative Hearings and Rules Internet web site. The electronic version of the *Register* can be navigated using the blue highlighted links found in the Contents section. Clicking on a highlighted title will take the reader to related text, clicking on a highlighted header above the text will return the reader to the Contents section.

Peter Plummer, Executive Director
State Office of Administrative Hearings and Rules

2008 PUBLICATION SCHEDULE

Issue No.	Closing Date for Filing or Submission Of Documents (5 p.m.)	Publication Date
1	January 15, 2008	February 1, 2008
2	February 1, 2008	February 15, 2008
3	February 15, 2008	March 1, 2008
4	March 1, 2008	March 15, 2008
5	March 15, 2008	April 1, 2008
6	April 1, 2008	April 15, 2008
7	April 15, 2008	May 1, 2008
8	May 1, 2008	May 15, 2008
9	May 15, 2008	June 1, 2008
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FILED WITH THE SECRETARY OF STATE**

MCL 24.208 states in part:

“Sec. 8. (1) The State Office of Administrative Hearings and Rules shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(f) Administrative rules filed with the secretary of state.”

ADMINISTRATIVE RULES

SOAHR 2004-006

DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY DIVISION

AIR POLLUTION CONTROL

Filed with the Secretary of State on March 28, 2008

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of environmental quality by sections 5503, 5505, and 5512 of 1994 PA 451, MCL 324.5503, 324.5505, and 324.5512, and Executive Reorganization Order No. 1995-18, MCL 324.99903)

R 336.1102, R 336.1103, R 336.1104, R 336.1105, R 336.1109, R 336.1112, R 336.1113, R 336.1114, and R 336.1122 of the Michigan Administrative Code are amended as follows:

PART 1. GENERAL PROVISIONS

R 336.1102 Definitions; B.

Rule 102. As used in these rules:

(a) "Best available control technology for toxics" or "T-BACT" means the maximum degree of emission reduction which the department determines is reasonably achievable for each process that emits toxic air contaminants, taking into account energy, environmental, and economic impacts and other costs.

(b) "Best available information" means data which serves as the basis for a risk assessment. Such information may be taken from the scientific literature or the integrated risk information system database maintained by the United States environmental protection agency or from other databases, as appropriate. The term includes other pertinent studies or reports containing data which the department finds to be of adequate quality for use in the risk assessment.

(c) "Black coating" means a coating which meets both of the following criteria:

(i) Maximum lightness: 23 units.

(ii) Saturation: less than 2.8, where saturation equals the square root of $A^2 + B^2$.

These criteria are based on Cielab color space, 0/45 geometry. For spherical geometry, specular included, maximum lightness is 33 units.

(d) "Blending tank," as it pertains to R 336.1631, means any vessel in which organic resin and solvent or other materials are added to produce a product blend.

(e) "Business machine" means a device that uses electronic or mechanical methods to process information, perform calculations, print or copy information or convert sound into electrical impulses for transmission, including devices listed in standard industrial classification numbers 3572, 3573, 3574, 3579, and 3661 and photocopy machines, a subcategory of standard industrial classification number 3861.

R 336.1103 Definitions; C.

Rule 103. As used in these rules:

(a) "Calendar day" means a 24-hour time period which normally is midnight to midnight, but which may, upon written notification to the department, cover a different, consecutive 24-hour time period for a specific process.

(b) "Capacity factor" means the ratio of the average load on a machine or equipment for the period of time considered to the capacity rating of the machine or equipment.

(c) "Carcinogen" means any of the following:

(i) Group A -- Any substance for which there is sufficient evidence from human epidemiological studies to support a causal association between exposure to the agent and cancer.

(ii) Group B -- Any substance for which the weight of evidence of human carcinogenicity based on epidemiological studies is limited evidence or for which the weight of evidence of carcinogenicity based on animal studies is sufficient evidence.

(iii) Group C -- Any substance for which there is limited evidence of carcinogenicity in animals in the absence of human data and which causes a significant increased incidence of benign or malignant tumors in a single, well-conducted animal bioassay.

(d) "Charging period," with respect to coke ovens utilizing larry car charging methodology, means the total time taken between the point at which the coal starts flowing into the oven and the point at which the leveling door and the charging holes are closed with their respective lids after the coal from the larry car hoppers is emptied into the oven being charged through the respective charging holes and the coal has been leveled in the oven. "Charging period," with respect to coke ovens utilizing pipeline charging methodology, means the total time taken from the time at which the coal starts flowing into an oven by opening the preheated coal inlet valve to the time at which the coal flow ends when the inlet valve is closed.

(e) "Class II hardboard paneling finish" means a finish that meets the specifications of voluntary product standard PS-59-73, as approved by the American national standards institute.

(f) "Clean air act" means chapter 360, 69 stat. 322, 42 U.S.C. §§7401 to 7431, 7470 to 7479, 7491 to 7492, 7501 to 7509a, 7511 to 7515, 7521 to 7525, 7541 to 7545, 7547 to 7550, 7552 to 7554, 7571 to 7574, 7581 to 7590, 7601 to 7612, 7614 to 7617, 7619 to 7622, 7624 to 7627, 7641 to 7642, 7651 to 7651o, 7661 to 7661f, and 7671 to 7671q and regulations promulgated under the clean air act.

(g) "Clean charge" means furnace charge materials, including molten metal; t-bar; sow; ingot; billet; pig; alloying elements; uncoated/unpainted thermally dried metal chips; metal scrap dried at 343 degrees Celsius (650 degrees Fahrenheit) or higher; metal scrap delacquered/decoated at 482 degrees Celsius (900 degrees Fahrenheit) or higher; other oil and lubricant-free unpainted/uncoated gates and risers; oil and lubricant-free unpainted/uncoated scrap, shapes, or products (for example, pistons) that have not undergone any process (for example, machining, coating, painting) that would cause contamination of the metal (with oils, lubricants, coatings, or paints) and on-site runaround.

(h) "Clear coating" means a coating which lacks color and opacity or is transparent and which uses the undercoat as a reflectant base or undertone color.

(i) "Clinical testing of pharmaceuticals" means human or animal health studies conducted consistent with applicable government regulations, guidelines, or directions for approval of a pharmaceutical product, such as those monitored by the United States food and drug administration for the purpose of determining any of the following with respect to a drug:

(i) Pharmacological action.

(ii) Preferred route of administration.

(iii) Safe dosage range.

(iv) Optimum dosage schedule.

(v) Safety and effectiveness.

(vi) Product label indications.

(j) "Coating category" means a type of surface coating for which there is a separate emission limit specified in these rules.

(k) "Coating line" means an operation which is a single series in a coating process and which is comprised of 1 or more coating applicators and any associated flash-off areas, drying areas, and ovens wherein 1 or more surface coatings are applied and subsequently dried or cured.

(l) "Coating of automobiles and light-duty trucks" means the application of prime, primer surfacer, topcoat, and final repair to sheet metal and metallic body components during assembly of a vehicle. Examples of these sheet metal and metallic body components include all of the following:

(i) Bodies.

(ii) Fenders.

(iii) Cargo boxes.

(iv) Doors.

(v) Grill openings.

(m) "Coating of cans" means exterior coating and interior spray coating in 2-piece can lines; interior and exterior coating in sheet coating lines for 3-piece cans; side seam spray coating and interior spray coating in can fabricating lines for 3-piece cans; and sealing compound application and sheet coating in end coating lines.

(n) "Coating of coils" means the coating of any flat metal sheet or strip that comes in rolls or coils.

(o) "Coating of fabric" means the application of any type of coating to flat sheets of a textile substrate, including the application of coatings by saturation or impregnation.

(p) "Coating of flat wood paneling" means the factory-finished coating of flat products which are constructed of wood and which are intended for use as interior paneling. This definition does not apply to the coating of flat wood products intended for use as exterior siding, tileboard, cabinets, or furniture components.

(q) "Coating of large appliances" means the coating of the component metal parts of residential and commercial washers, dryers, ranges, refrigerators, freezers, water heaters, dishwashers, trash compactors, air conditioners, and other associated products. Examples of these component metal parts include all of the following:

(i) Doors.

(ii) Cases.

(iii) Lids.

(iv) Panels.

(v) Interior support parts.

(r) "Coating of metal furniture" means the coating of any furniture made of metal and includes the coating of any metal part that is or shall be assembled with other metal, wood, fabric, plastic, or glass parts to form a furniture piece.

(s) "Coating of paper" means the application of any decorative, functional, or saturation coating applied across the entire width of any flat sheet or pressure-sensitive tape, regardless of substrate, or applied across a partial width of any flat sheet or pressure-sensitive tape, regardless of substrate, if this partial coverage is not considered to be an operation or series of operations that is included in the definition of graphic arts line in R 336.1107(e). These applications and substrates include paper, fabric, or plastic film; related wet-coating processes on plastic film, including typewriter ribbons, photographic film, and magnetic tape; and decorative coatings on metal foil, including gift wrapping and packaging.

(t) "Coating of plastic parts of automobiles and trucks" means the coating of any plastic part that is or shall be assembled with other parts to form an automobile or truck.

(u) "Coating of plastic parts of business machines" means the coating of any plastic part that is or shall be assembled with other parts to form a business machine.

(v) "Coating of vinyl" means any printing, decorative coating, or protective topcoat applied over vinyl-coated fabric or vinyl rolls or sheets. Coating of vinyl does not include the application or plastisols.

(w) "Coke battery" means a series of coke ovens arranged side by side with an integral heating system.

(x) "Coke oven" means a chamber in which coal is destructively distilled to yield coke.

(y) "Cokeside," with respect to a coke oven, means that side of the coke oven through which coke is discharged.

(z) "Coking cycle" means the time during which coal undergoes destructive distillation in a coke oven. It commences at the end of the charging period and ends at the beginning of the pushing operation, but does not include any decarbonization periods.

(aa) "Cold cleaner" means a tank containing organic solvent at a temperature below its boiling point which is used to spray, brush, flush, or immerse a metallic object for the purpose of cleaning or degreasing.

(bb) "Commercial location" means a publicly or privately owned place where persons are engaged in the exchange or sale of goods or services and multiple housing units designed for 3 or more families, except for elementary and secondary schools and facilities owned and operated by the state government. A separate building or group of buildings used for the exchange or sale of goods or services and having a single owner and manager constitutes a separate commercial location.

(cc) "Completed organic resin" means organic resin solids, solvents, and additives as deliverable for sale or use, including a dry organic resin.

(dd) "Compliance plan" means a description of the compliance status of a source with respect to all applicable requirements for each process or process equipment as follows:

(i) For applicable requirements with which the source is in compliance, a statement that the source will continue to comply with the requirements.

(ii) For applicable requirements that will become effective during the permit term, a statement that the source will meet the requirements on a timely basis.

(iii) For applicable requirements for which the stationary source is not in compliance at the time of permit issuance, a narrative description of how the stationary source will achieve compliance with the requirements.

(ee) "Component" means 1 of the following:

(i) As it pertains to the provisions of R 336.1622, "component" means any piece of equipment that has the potential to leak a volatile organic compound and includes all of the following:

- (A) Pump seals.
- (B) Compressor seals.
- (C) Seal oil degassing vents.
- (D) Pipeline valves.
- (E) Flanges and other connections.
- (F) Pressure-relief devices.
- (G) Process drains.
- (H) Open ended pipes.

(ii) As it pertains to the provisions of R 336.1628, "component" means all of the following:

- (A) Compressor seals.
- (B) Process valves in light liquid or gaseous volatile organic compound service.
- (C) Pressure-relief valves in gaseous volatile organic compound service.
- (D) Seals of pumps in light liquid service.

(iii) As it pertains to the provisions of R 336.1629, "component" means all of the following:

- (A) Compressor seals.
- (B) Process valves.
- (C) Pressure-relief valves.
- (D) Pump seals.

This definition does not include a valve that is not externally regulated, that is, a valve which has no external controls and thus does not have the potential to leak a volatile organic compound.

(ff) "Component in field gas service" means a component that processes, transfers, or contains field gas.

(gg) "Component in gaseous volatile organic compound service" means a component that processes, transfers, or contains a volatile organic compound in the gaseous phase under actual conditions.

(hh) "Component in heavy liquid service" means a component that processes, transfers, or contains heavy liquid.

(ii) "Component in light liquid service" means a component that contacts a light liquid containing more than 10% volatile organic compound by weight.

(jj) "Component in liquid volatile organic compound service" means a component that processes, transfers, or contains a volatile organic compound in the liquid phase under actual conditions.

(kk) "Condenser" means a device that effects the removal of an air contaminant from an exhaust stream by a physical change of state from a vapor to a liquid or solid form.

(ll) "Control equipment" means air pollution control equipment.

(mm) "Conventional air-atomizing spray equipment" means a device which is designed to atomize and direct fluid material solely through the use of compressed air and which is capable of operating at air pressures of more than 10 pounds per square inch.

(nn) "Conveyorized cold cleaner" means any continuous system that transports metallic objects through a bath containing organic solvent at a temperature below its boiling point for the purpose of cleaning or degreasing.

(oo) "Conveyorized vapor degreaser" means any continuous system that transports metallic objects through or over, or through and over, a bath containing organic solvent that is heated to its boiling point for the purpose of cleaning or degreasing.

(pp) "Cutback paving asphalt" means asphalt cement which has been liquefied by blending with a volatile organic compound and which is used for the purpose of paving or repairing, or paving and repairing, a road surface.

(qq) "Cycle of operation," with respect to continuous emission monitoring systems, means the total time a monitoring system requires to sample, analyze, and record an emission measurement.

R 336.1104 Definitions; D.

Rule 104. As used in these rules:

(a) "Decarbonization period," with respect to coke ovens, means the time for combusting carbon formed at the oven roof and in the standpipe assembly. The decarbonization period commences when a charging-hole lid or lids or a standpipe lid or lids are removed or opened near the end of the coking cycle and ends with the initiation of the next charging period.

(b) "Delivery vessel" means any tank truck, tank-equipped trailer, railroad tank car, or any similar vessel equipped with a storage tank used for the transport of a volatile organic compound from sources of supply to any stationary vessel.

(c) "Demolition waste material" means waste building materials that result from demolition operations on houses and commercial and industrial buildings.

(d) "Department" means the director of the department of environmental quality or his or her designee.

(e) "Difficult-to-monitor component" means a component that can only be monitored by elevating the monitoring personnel more than 6 feet above a support surface.

(f) "Dry organic resin" means the organic resin solids from which all liquids have been removed, as deliverable for sale or use.

(g) "Dispensing facility" means a location where gasoline is transferred to a motor vehicle tank from a stationary vessel.

R 336.1105 Definitions; E.

Rule 105. As used in these rules:

(a) "Electrostatic prep coat" means a coating that is applied to a plastic part solely to provide conductivity for the subsequent application of a prime, a topcoat, or other coating through the use of electrostatic application methods. An electrostatic prep coat is clearly identified as an electrostatic prep coat on its accompanying material safety data sheet.

(b) "Emission unit" means any part of a stationary source that emits or has the potential to emit an air contaminant. Examples of emission units include the following:

(i) A fossil fuel-fired, steam-generating unit.

(ii) A topcoat painting line.

(iii) A solid waste incinerator.

(iv) A clinker cooler at a Portland cement plant.

(v) A process unit at a chemical plant.

(c) "Equipment utilized in the manufacturing of synthesized pharmaceutical products" means equipment associated with the storage, transfer, or manufacturing of pharmaceutical products, including raw materials and intermediate products, by chemical synthesis. This definition does not include equipment associated with the manufacturing of pharmaceutical products by fermentation or extraction, the formulation or packaging of bulk pharmaceuticals, or the processing of waste resulting from pharmaceutical synthesis.

(d) "Equivalent method," with respect to source sampling, means a method or set of procedures for obtaining source samples that has been demonstrated to the department's satisfaction to have a consistent and quantitatively known relationship to an applicable reference test method.

(e) "Excess air" means any air in excess of the amount of air required for complete combustion of a material as determined by using reference test method 3 of appendix A to the department's rules.

(f) "Excess emissions" means emissions of an air contaminant in excess of any applicable emission limitation.

(g) "External floating roof stationary vessel" means an open top stationary vessel equipped with a cover or roof which rests upon and is supported by the liquid being contained and which has a closure seal or seals to reduce the space between the cover or roof edge and the vessel wall.

(h) "Extreme environmental conditions" means any of the following:

(i) Outdoor weather.

(ii) Temperatures consistently above 95 degrees Celsius (203 degrees Fahrenheit).

(iii) Detergents.

(iv) Abrasive and scouring agents.

(v) Solvents.

(vi) Corrosive atmospheres.

(vii) Other similar harsh conditions.

(i) "Extreme performance coating" means a coating which is designed to protect a coated part from extreme environmental conditions and which is applied to a part that, in its use as a finished product, is intended to be subjected to extreme environmental conditions.

R 336.1109 Definitions; I.

Rule 109. As used in these rules:

(a) "Incinerator" means a device specifically designed for the destruction, by burning, of garbage or other combustible refuse or waste material, or both, in which the products of combustion are emitted into the outer air by passing through a stack or chimney.

(b) "Inhalation reference concentration" or "RfC" means a conservative estimate of the daily exposure to the human population, including sensitive subgroups, that is likely to be without appreciable risk of deleterious effect during a lifetime. The inhalation reference concentration is for continuous inhalation exposures and is expressed in units of milligrams per cubic meter (mg/m³).

(c) "Initial risk screening level" means the concentration of a possible, probable, or known human carcinogen in ambient air which has been calculated for regulatory purposes, according to the risk assessment procedures in R 336.1229(1), to produce an estimated upper-bound lifetime cancer risk of 1 in 1,000,000.

(d) "Initial threshold screening level" means a concentration of toxic air contaminant in the ambient air which is used to evaluate noncarcinogenic health effects from a proposed new or modified process and which is calculated, for regulatory purposes, according to the procedures in R 336.1229(2).

(e) "Insulation of magnet wire" means the process of coating aluminum or copper electrical wire by application of a nonconductive material, such as varnish or enamel.

R 336.1112 Definitions; L.

Rule 112. As used in these rules:

(a) "Light-duty truck" means any motor vehicle which is rated at not more than 8,500 pounds gross vehicle weight and which is designed primarily for the transportation of property, including pickups, vans, and window vans.

(b) "Light liquid," as it pertains to R 336.1628, means a liquid that contains 1 or more volatile organic compounds which have vapor pressures of more than 0.04 psia at 20 degrees Centigrade if the total concentration of the pure volatile organic compounds which have vapor pressures of more than 0.04 psia at 20 degrees Centigrade is equal to or greater than 20%, by weight, of the liquid and if the fluid is a liquid at operating conditions.

(c) "Limited evidence," a term of art, means either of the following:

(i) In human epidemiological studies, the data indicate that a causal relationship between the agent and human cancer is credible, but that alternative explanations, such as chance, bias, or confounding variables, could not be adequately excluded.

(ii) In animal studies, data suggest a carcinogenic effect, but are limited because of any of the following:

(A) The studies involve a single species, strain, or experiment and do not meet criteria for sufficient evidence.

(B) The experiments are restricted by any of the following:

(1) Inadequate dosage levels.

(2) Inadequate duration or exposure to the agent.

(3) Inadequate period of follow-up.

(4) Poor survival.

(5) Too few animals.

(6) Inadequate reporting.

(C) The data show an increase in the incidence of benign tumors only.

(d) "Linearized multistage computer model" means a dose-response model which assumes that there are a number of distinct biological stages or changes that must occur for a normal cell to be transformed into a tumor and which assumes the dose-response relationship to be linear at low doses.

(e) "Loading facility" means a location where volatile organic compounds are received from sources of supply and are stored for later delivery to another facility.

R 336.1113 Definitions; M.

Rule 113. As used in these rules:

(a) "Malfunction" means any sudden, infrequent and not reasonably preventable failure of a source, process, process equipment, or air pollution control equipment to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

(b) "Market testing and market development" means the limited or general distribution of a product to the consumer to gather information concerning the demand for the product.

(c) "Material handling equipment," as referenced in table 31, means a device, contrivance, or equipment used to bag, blend, convey, crush, grind, load, mill, mix, shed, store, transfer, or unload a physical substance.

(d) "Material recovery equipment" means any equipment utilized in the transport and recovery of styrene monomer and other impurities from other products and by-products in the manufacture of polystyrene resin by continuous process, including the styrene devolatilizer unit and styrene recovery unit.

(e) "Modify" means making a physical change in, or change in the method of operation of, existing process or process equipment which increases the amount of any air contaminant emitted into the outer air which is not already allowed to be emitted under the conditions of a permit or order or which results in the emission of any toxic air contaminant into the outer air not previously emitted. An increase in the hours of operation or an increase in the production rate up to the maximum capacity of the process or process equipment shall not be considered to be a change in the method of operation unless the process or process equipment is subject to enforce-able permit conditions or enforceable orders which limit the production rate or the hours of operation, or both, to a level below the proposed increase.

(f) "Motor vehicle" means any self-propelled vehicle registered for, or requiring registration for, use on the highway.

R 336.1114 Definitions; N.

Rule 114. As used in these rules:

(a) "Natural finish hardwood plywood panel" means a panel that has its original grain pattern enhanced by essentially transparent finishes frequently supplemented by fillers and toners.

(b) "Natural gas processing plant" means a stationary source where the extraction of natural gas liquids from field gas or the fractionation of the liquids into natural gas products, such as ethane, propane, butane, and natural gasoline, takes place.

(c) "Natural gas process unit" means process equipment assembled for the extraction of natural gas liquids from field gas, the fractionation of the liquids into natural gas products, or other operations associated with the processing of natural gas products. A natural gas process unit may operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the products.

(d) "Nearby" means, with respect to good engineering practice design stack heights, a distance of up to 5 times the lesser of the height or the width dimension of a structure, but not more than 0.8 kilometers (0.5 miles). The height of the structure is measured from the ground level elevation at the base of the stack.

(e) "Nonattainment area" means an area designated as not having attained full compliance with any national ambient air quality standard pursuant to section 107(D) of the clean air act. Such designation shall be air contaminant specific and shall not mean that an area is a nonattainment area for any other air contaminant unless so specified. The department shall maintain a list of designated nonattainment areas and shall update the list when air quality monitoring or modeling data warrant. For certain air contaminants, nonattainment areas are classified for the purposes of applying an attainment date, or for

other purposes, in accordance with procedures established pursuant to the clean air act, as amended, 42 U.S.C. §7401 et seq. For ozone nonattainment areas, classifications have been established as follows:

- (i) Nonclassifiable.
- (ii) Marginal.
- (iii) Moderate.
- (iv) Serious.
- (v) Severe.
- (vi) Extreme.

R 336.1122 Definitions; V.

Rule 122. As used in these rules:

(a) "Vacuum-metalizing coatings" means topcoats and basecoats that are used in the vacuum-metalizing process.

(b) "Vacuum-producing system" means any device that creates a pressure below atmospheric, such as a pump or steam ejector with condenser, including hot wells and accumulators.

(c) "Vapor collection system," as it pertains to R 336.1627, means all piping, seals, hoses, connections, pressure-vacuum vents, and any other equipment between and including the delivery vessel and a stationary vessel, vapor processing unit, or vapor holder.

(d) "Very large precipitator" means an electrostatic precipitator that has a specific plate collection area of 600 square feet or more per 1,000 actual cubic feet per minute gas flow.

(e) "Visible emission" means any emissions that are visually detectable without the aid of instruments.

(f) "Volatile organic compound" means any compound of carbon or mixture of compounds of carbon that participates in photochemical reactions, excluding the following materials, all of which have been determined by the United States environmental protection agency to have negligible photochemical reactivity:

- (i) Carbon monoxide.
- (ii) Carbon dioxide.
- (iii) Carbonic acid.
- (iv) Metallic carbides or carbonates.
- (v) Boron carbide.
- (vi) Silicon carbide.
- (vii) Ammonium carbonate.
- (viii) Ammonium bicarbonate.
- (ix) Methane.
- (x) Ethane.

(xi) The methyl chloroform portion of commercial grades of methyl chloroform, if all of the following provisions are complied with:

(A) The commercial grade of methyl chloroform is used only in a surface coating or coating line that is subject to the requirements of part 6 or 7 of these rules.

(B) The commercial grade of methyl chloroform contains no stabilizers other than those listed in table 11.

(C) Compliance with the applicable limits specified in part 6 or 7 of these rules is otherwise not technically or economically reasonable.

(D) All measures to reduce the levels of all organic solvents, including the commercial grade of methyl chloroform, from the surface coating or coating line to the lowest reasonable level will be implemented.

(E) The emissions of the commercial grade of methyl chloroform do not result in a maximum ambient air concentration exceeding any of the allowable ambient air concentrations listed in table 11.

(F) The use of the commercial grade of methyl chloroform is specifically identified and allowed by a permit to install, permit to operate, or order of the department.

(G) Table 11 reads as follows:

TABLE 11

Commercial grade of methyl chloroform --
allowable ambient air concentrations

Compound	Ppm ¹	Time ²
Methyl chloroform	3.5	1 hour
Tertiary butyl alcohol ³	1.0	1 hour
Secondary butyl alcohol ³	1.0	1 hour
Methylal ³	10.0	1 hour
1,2-butylene oxide ³	0.028 and 0.00041	1 hour annual

1. Parts per million, by volume
2. Averaging time period
3. This compound is a stabilizer

(xii) The methyl chloroform portion of commercial grades of methyl chloroform that contain any other stabilizer not listed in table 11 of this rule, if all of the following provisions are complied with:

(A) The commercial grade of methyl chloroform is used only in a surface coating or coating line that is subject to the requirements of part 6 or 7 of these rules.

(B) Compliance with the applicable limits specified in part 6 or 7 of these rules is otherwise not technically or economically reasonable.

(C) All measures to reduce the levels of all organic solvents, including the commercial grade of methyl chloroform, from the surface coating or coating line to the lowest reasonable level will be implemented.

(D) The emissions of any compound in the commercial grade of methyl chloroform that is listed in table 11 of this rule do not result in a maximum ambient air concentration exceeding any of the allowable ambient air concentrations listed in table 11.

(E) The emission of all compounds in the commercial grade of methyl chloroform that are not listed in table 11 is demonstrated to comply with R 336.1901.

(F) The use of the commercial grade of methyl chloroform is specifically identified and allowed by a permit to install, permit to operate, or order of the department.

(xiii) Acetone.

(xiv) Cyclic, branched, or linear completely methylated siloxanes.

(xv) Parachlorobenzotrifluoride.

(xvi) Perchloroethylene.

(xvii) Trichlorofluoromethane (CFC-11).

(xviii) Dichlorodifluoromethane (CFC-12).

(xix) 1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113).

- (xx) 1,2-dichloro 1,1,2,2-tetrafluoroethane (CFC-114).
- (xxi) Chloropentafluoroethane (CFC-115).
- (xxii) 1,1-dichloro 1-fluoroethane (HCFC-141b).
- (xxiii) 1,1-chloro 1,1-difluoroethane (HCFC-142b).
- (xxiv) Chlorodifluoromethane (HCFC-22).
- (xxv) 1,1,1-trifluoro 2,2-dichloroethane (HCFC-123).
- (xxvi) 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124).
- (xxvii) Trifluoromethane (HFC-23).
- (xxviii) Pentafluoroethane (HFC-125).
- (xxix) 1,1,2,2-tetrafluoroethane (HFC-134).
- (xxx) 1,1,1,2-tetrafluoroethane (HFC-134a).
- (xxxi) 1,1,1-trifluoroethane (HFC-143a).
- (xxxii) 1,1-difluoroethane (HFC-152a).
- (xxxiii) 3,3-dichloro-1, 1,1,2,2-pentafluoropropane (HCFC-225ca).
- (xxxiv) 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb).
- (xxxv) 1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC 43-10mee).
- (xxxvi) Difluoromethane (HFC-32).
- (xxxvii) Ethyl fluoride (HFC-161).
- (xxxviii) 1,1,1,3,3,3-hexafluoropropane (HFC-236fa).
- (xxxix) 1,1,2,2,3-pentafluoropropane (HFC-245ca).
- (xl) 1,1,2,3,3- pentafluoropropane (HFC-245ea).
- (xli) 1,1,1,2,3- pentafluoropropane (HFC-245eb).
- (xlii) 1,1,1,3,3- pentafluoropropane (HFC-245fa).
- (xliii) 1,1,1,2,3,3-hexafluoropropane (HFC-236ea).
- (xliv) 1,1,1,3,3-pentafluorobutane (HFC365mfc).
- (xlv) Chlorofluoromethane (HCFC-31).
- (xlvi) 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a).
- (xlvii) 1-chlor-1-fluoroethane (HCFC-151a).
- (xlviii) 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane ($C_4F_9OCH_3$ or HFE-7100).
- (xlix) 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane.
- (l) 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane ($C_4F_9OC_2H_5$ or HFE-7200).
- (li) 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane.
- (lii) Methyl acetate.
- (liii) Perfluorocarbon compounds that fall into the following classes:
 - (A) Cyclic, branched, or linear, completely fluorinated alkanes.
 - (B) Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations.
 - (C) Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations.
 - (D) Sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.
- (liv) Methylene chloride.
- (lv) 1,1,1,2,2,3,3-heptafluoro-3-methoxy-propane ($n-C_3F_7OCH_3$, HFE-7000).
- (lvi) 3-ethoxy-1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl) hexane (HFE-7500).
- (lvii) 1,1,1,2,3,3,3-heptafluoropropane (HFC 227ea).
- (lviii) Methyl formate ($HCOOCH_3$).
- (lix) T-butyl acetate is not a volatile organic compound for purposes of volatile organic compound emissions limitations or volatile organic compound content requirements but is a volatile organic compound for purposes of all recordkeeping, emissions reporting, photochemical dispersion modeling

and inventory requirements, which apply to volatile organic compounds and shall be uniquely identified in emission reports.

The methods described in R 336.2004 and R 336.2040 shall be used for measuring volatile organic compounds for purposes of determining compliance with emission limits. Where such a method also measures compounds with negligible photochemical reactivity, these negligibly-photochemical reactive compounds may be excluded as volatile organic compounds if the amount of such compounds is accurately quantified and such exclusion is approved by the department.

ADMINISTRATIVE RULES

SOAHR 2006-002

DEPARTMENT OF LABOR & ECONOMIC GROWTH

DIRECTOR'S OFFICE

CONSTRUCTION CODE

Filed with the Secretary of State on April 2, 2008

These rules take effect 120 days after filing with the Secretary of State

(By authority conferred on the director of the department of labor and economic growth by section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 1996-2 and 2003-1, MCL 445.2001 and 445.2011)

R 408.30401, R 408.30404, R 408.30405, R 408.30408, R 408.30410, R 408.30411, R 408.30412, R 408.30414, R 408.30415a, R 408.30418, R 408.30421, R 408.30427, R 408.30429, R 408.30430, R 408.30432, R 408.30437, R 408.30445, R 408.30446, R 408.30447, R 408.30448, R 408.30449, R 408.30451c, R 408.30457, R 408.30458, R 408.30475, R 408.30495, R 408.30499, R 408.30503, R 408.30504, R 408.30505, R 408.30506, R 408.30507, R 408.30508, R 408.30509, R 408.30510, R 408.30511, R 408.30512, R 408.30513, R 408.30514, R 408.30516, R 408.30518, R 408.30520, R 408.30521, R 408.30522, R 408.30525, R 408.30526, R 408.30528, R 408.30529, R 408.30530, R 408.30531, R 408.30534, R 408.30536, R 408.30539, R 408.30540, R 408.30543, R 408.30544, R 408.30545, R 408.30546 and R 408.30547 of the Michigan Administrative Code are amended and R 408.30401a, R 408.30442, R 408.30459 and R 408.30522a are added and R 408.30417 and R 408.30444 of the code are rescinded as follows:

PART 4. BUILDING CODE

R 408.30401 Applicable code.

Rule 401. Except as provided in R 408.30401a, the provisions of the international building code, 2006 edition, including appendices F, G, and H, except for sections 104.8, 108.2 to 108.6, 114.3, 415.6.2.2 to 415.6.2.10, 415.6.3.1 to 415.6.3.5.2, table 1608.2, 2902 to 2902.5, Table 2902.1, 3006.5, the definition of "recreational vehicle" in Appendix G, and, IECC-2006, ICC EC-2006, IMC-2006, IPC-2006, IPSDC-2006 listed in chapter 35, and the provisions of the international residential code, 2006 edition, including appendices A, B, C, D, E, F, G, J, K, M, N, O, and Q except for sections R104.8, R108.2, R108.3, R108.4, R108.5, N1101 to N1103.6 tables N1101.2, N1102.1, R404.1(1), R404.1(2) and R404.1(3) sections P2503.8, P2709.2.3, AJ102.4, Figure N3 and IBC-2006, ICC EC-2006, IECC-2006, IMC-2006, IPC-2006, NFPA 70-05 listed in chapter 43 govern the construction, alteration, relocation, demolition, use, and occupancy of buildings and structures, and, with exceptions noted, the international building code and the international residential code are adopted by reference in these rules. All references to the International Building Code, International Residential Code, International Energy Conservation Code, International Electrical Code, International Existing Building Code, International Mechanical Code, and International Plumbing Code mean the Michigan Building Code, Michigan

Residential Code, Michigan Uniform Energy Code, Michigan Electrical Code, Michigan Rehabilitation Code for Existing Buildings, Michigan Mechanical Code, and Michigan Plumbing Code respectively. The codes are available for inspection at the Okemos office of the Michigan Department of Labor & Economic Growth, Bureau of Construction Codes. The codes may be purchased from the International Code Council, 500 New Jersey Avenue, N.W., 6th Floor, Washington, D.C. 20001, or from the Michigan Department of Labor & Economic Growth, Bureau of Construction Codes, 2501 Woodlake Circle, Okemos, Michigan 48864, at a cost as of the time of adoption of these amendatory rules of \$86.00 and \$66.00 respectively.

R 408.30401a Adult foster care facilities and child care organizations.

Rule 401a. (1) Promulgation authority for fire safety standards for facilities and camps licensed or registered under the adult foster care facility licensing act, 1979 PA 218, being MCL 400.701 et seq., and the child care organizations act, 1973 PA 116, being MCL 722.101 et seq., is vested in the department of human services and the bureau of fire services.

(2) Until amended or rescinded by the promulgating authority, the 2003 Michigan building code provisions relative to fire safety standards for facilities and camps licensed or registered under the adult foster care facility licensing act, 1979 PA 218, being MCL 400.701 et seq., and the child care organizations act, 1973 PA 116, being MCL 722.101 et seq., remain in effect.

R 408.30404 Approved materials and equipment.

Rule 404. Section 104.9 of the code is amended to read as follows:

104.9. Approved materials and equipment. Materials, equipment, and devices shall be constructed or installed in accordance with approvals granted under the act or by the building official. The building official shall review reports prepared by recognized evaluation services and determine if the intent of the code is met.

R 408.30405 Professional architectural and engineering services.

Rule 405. Section 106.1 of the code is amended to read as follows:

106.1. Submittal documents. Construction documents, special inspection and structural programs and other data shall be submitted in 1 or more sets with each application for a permit. The construction documents shall be prepared by, or under the direct supervision of, a registered design professional when required by 1980 PA 299, MCL 339.101 to 339.2721. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

R 408.30408 Fees.

Rule 408. Section 108.1 of the code is amended to read as follows:

108.1. Payment of fees. The fees prescribed by the act shall be paid to the enforcing agency of the jurisdiction before a permit to begin work for new construction, alteration, removal, demolition, or other building operation may be issued. In addition, an amendment to a permit necessitating an additional fee shall not be approved until the additional fee has been paid.

R 408.30410 Violations.

Rule 410. Section 113.4 of the code is amended to read as follows:

113.4. Violation penalties. It is unlawful for any person, firm, or corporation to violate a provision of the code or fail to conform with any of the requirements thereof, or erect, construct, alter, extend, repair, move, remove, demolish, or occupy any building, structure, or equipment regulated by the code, or cause work to be performed or done, in conflict with or in violation of the approved construction

documents or directive of the enforcing agency, or a permit or certificate issued under the code. A violator shall be assessed a fine in accordance with the act.

R 408.30411 Stop-work order.

Rule 411. Section 114.2 of the code is amended to read as follows:

114.2. Issuance. Upon notice from the enforcing agency, work on any building or structure that is being done contrary to the code or in a dangerous or unsafe manner shall immediately cease. Notice shall be in accordance with the act. A person who is served with a stop work order, except for work that the person is directed to perform to remove a violation or unsafe condition is subject to the penalty provisions prescribed in the act.

R 408.30412 Certificate of use and occupancy.

Rule 412. Section 110.1 of the code is amended to read as follows:

110.1. Use and occupancy. A building or structure shall not be used or occupied, and a change in the existing occupancy classification of a building or structure or portion thereof shall not be made until a certificate of occupancy has been issued in accordance with the act.

R 408.30414 Board of appeals.

Rule 414. Sections 112.1 and 112.3 of the code are amended to read as follows:

112.1 Means of appeal. An interested person may appeal a decision of the enforcing agency to the board of appeals in accordance with the act. An application for appeal shall be based on a claim that the true intent of the code or the rules governing construction have been incorrectly interpreted, the provisions of the code do not apply, or an equal or better form of construction is proposed. The decision of a local board of appeals may be appealed to the construction code commission in accordance with the act and time frames.

Exception: Requests for barrier free design exception shall be in accordance with 1966 PA 1, MCL 125.1352 to 125.1356.

112.3 Qualifications. The board of appeals shall consist of members who are qualified in accordance with the act.

R 408.30415a Definitions.

Rule 415a. The definition of act is added and the definitions of building, registered design professional, and structure in section 202 of the code are amended to read as follows:

202. Definitions.

“Act” means 1972 PA 230, MCL 125.1501 to 125.1531 and known as the Stille-DeRossett-Hale single state construction code act.

"Building" means a combination of materials, whether portable or fixed, forming a structure affording a facility or shelter for use or occupancy by persons, animals, or property. The term does not include a building incidental to the use for agricultural purposes of the land on which the building is located if it is not used in the business of retail trade. The term shall be construed as though followed by the words "or part or parts of the building and all equipment in the building" unless the context clearly requires a different meaning.

"Building official" means the person who is appointed and employed by a governmental subdivision charged with the administration and enforcement of the state code or codes and who is registered in accordance with the requirements of 1986 PA 54, MCL 338.2301 to 338.2313.

"Registered design professional" means an individual who is licensed under article 20, 1980 PA 299, MCL 339.2001 to 339.2721.

"Structure" means that which is built or constructed, an edifice or building of any kind, or a piece of work artificially built up or composed of parts joined together in some definite manner. Structure does not include a structure incident to the use for agricultural purposes of the land on which the structure is located and does not include works of heavy civil construction including without limitation any of the following:

- (a) A highway.
- (b) A bridge.
- (c) A dam.
- (d) A reservoir.
- (e) A lock.
- (f) A mine.
- (g) A harbor.
- (h) A dockside port facility.
- (i) An airport landing facility.
- (j) A facility for the generation, or transmission, or distribution of electricity.

Structure shall be construed as though followed by the words "or part or parts of the structure and all equipment in the structure," unless the context clearly indicates otherwise.

R 408.30417 Rescinded.

R 408.30418 Maximum floor area allowances per occupant.

Rule 418. Table 1004.1.1 of the code is amended to read as follows:

Table 1004.1.1

MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT

FUNCTION OF SPACE	FLOOR AREA IN SQ. FT. PER OCCUPANT
Agricultural building	300 gross
Aircraft hangars	500 gross
Airport terminal	
Baggage claim	20 gross
Baggage handling	300 gross
Concourse	100 gross
Waiting areas	15 gross
Assembly	
Gaming floors (keno, slots, etc.)	11 gross
Assembly with fixed seats	See section 1004.7
Assembly without fixed seats	
Concentrated (chairs only-not fixed)	7 net
Standing space	5 net
Unconcentrated (tables and chairs)	15 net
Bowling centers, allow 5 persons for each lane including 15 feet of runway, and for additional areas	7 net
Business areas	100 gross
Courtrooms-other than fixed seating areas	40 net
Day care	35 net
Dormitories	50 gross
Educational	
Classroom area	20 net
Shops and other vocational room areas	50 net
Locker rooms	15 gross

Exercise rooms	50 gross
H-5 Fabrication and manufacturing areas	200 gross
Industrial areas	100 gross
Institutional areas	
Inpatient treatment areas	240 gross
Outpatient areas	100 gross
Sleeping areas	120 gross
Kitchens, commercial	200 gross
Library	
Reading rooms	50 net
Stack area	100 gross
Locker rooms	50 gross
Mercantile	
Areas on other floors	60 gross
Basement and grade floor areas	30 gross
Storage, stock, shipping areas	300 gross
Parking garages	200 gross
Residential	200 gross
Skating rinks, swimming pools	
Rink and pool	50 gross
Decks	15 gross
Stages and platforms	15 net
Accessory storage areas, mechanical equipment room	300 gross
Warehouses	500 gross

For SI: 1 square foot = 0.0929 m²

R 408.30421 Emergency escape and rescue.

Rule 421. Section 1026.1 of the code is amended to read as follows:

1026.1 General. In addition to the means of egress required by this chapter, provisions shall be made for emergency escape and rescue in group R as applicable in section 101.2, classrooms greater than 250 feet² (23.2 m²) in group E, and group I-1 occupancies. Basements and sleeping rooms below the fourth story above grade plane shall have at least 1 exterior emergency escape and rescue opening in accordance with this section. Where basements contain 1 or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Such opening shall open directly into a public street, public alley, yard, or court.

Exceptions:

1. In other than group R-3 occupancies as applicable in section 101.2, buildings equipped throughout with an approved automatic sprinkler system in accordance with section 903.3.1.1 or 903.3.1.2.
2. In other than group R-3 occupancies as applicable in section 101.2, sleeping rooms provided with a door to a fire-resistance-rated corridor having access to 2 remote exits in opposite directions.
3. The emergency escape and rescue opening is permitted to open onto a balcony within an atrium in accordance with the requirements of section 404, provided the balcony provides access to an exit and the dwelling unit or sleeping unit has a means of egress that is not open to the atrium.
4. Basements with a ceiling height of less than 80 inches (2032 mm) shall not be required to have emergency escape and rescue windows.
5. High-rise buildings in accordance with section 403.
6. Emergency escape and rescue openings are not required from basements or sleeping rooms which have an exit door or exit access door that opens directly into a public street, public alley, yard, egress court, or to an exterior exit balcony that opens to a public street, public alley, yard, or egress court.

7. Basements without habitable spaces and having not more than 200 square feet (18.6 square meters) in floor area shall not be required to have emergency escape windows.

R 408.30427 Barrier free design for buildings, structures, and improved areas.

Rule 427. Sections 1101.2 and 1109.7 of the code are amended and section 1103.2.16 is added to the code to read as follows:

1101.2 Design. Buildings and facilities shall be designed and constructed to be accessible in accordance with 1966 PA 1, MCL 125.1351 to 125.1356, this code and ICC/ANSI A 117.1, except sections 611 and 707.

1109.7 Lifts. Platform (wheelchair) lifts are permitted to be a part of a required accessible route in new construction where indicated in items 1 to 10. Platform (wheelchair) lifts shall be installed in accordance with the Michigan elevator code, R 408.7001 to R 408.8695.

1. An accessible route to a performing area and speakers' platforms in occupancies in group A.
 2. An accessible route to wheelchair spaces required to comply with the wheelchair space dispersion requirements of sections 1108.2.2 to 1108.2.4.
 3. An accessible route to spaces that are not open to the general public with an occupant load of not more than 5.
 4. An accessible route within a dwelling or sleeping unit.
 5. An accessible route to wheelchair seating spaces located in outdoor dining terraces in A-5 occupancies where the means of egress from the dining terraces to a public way are open to the outdoors.
 6. An accessible route to jury boxes and witness stands; raised courtroom stations including judges' benches, clerks' stations, bailiffs' stations, deputy clerks' stations and court reporters' stations; and to depressed areas such as the well of the court.
 7. An accessible route to load and unload areas serving amusement rides.
 8. An accessible route to play components or self contained play structures.
 9. An accessible route to team or player seating areas serving areas of sport activity.
 10. An accessible route where existing exterior site constraints make use of a ramp or elevator infeasible.
- 1103.2.16. Military, fire service, and police facilities. Housing, bathing, toilet, training, and storage areas intended for use and occupancy exclusively by military, fire service, police, or security personnel required to be physically agile are not required to be accessible.

R 408.30429 High-rise buildings.

Rule 429. Sections 403.1, 403.13, 907.2.12, and 907.8.2 of the code are amended to read as follows:

403.1. Applicability. The provisions of this section shall apply to buildings having the occupied floors located more than 55 feet (16764 mm) above the lowest level of fire department vehicle access.

Exception: The provisions of this section shall not apply to the following buildings and structures:

1. Airport traffic control towers in accordance with section 412 of the code.
2. Open parking garages in accordance with section 406.3 of the code.
3. Buildings with an occupancy in group A-5 in accordance with section 303.1 of the code.
4. Low-hazard special industrial occupancies in accordance with section 503.1.1 of the code.
5. Buildings with an occupancy in group H-1, H-2, or H-3 in accordance with section 415 of the code.
6. Existing buildings having occupied floor levels not more than 75 feet (22860 mm) above the lowest level of fire department vehicle access where the local unit of government complies with the following:
 - 6.1. The local unit of government has a municipal fire department with an ISO rating of 3 or lower, employing a full-time career fire fighting staff.

6.2. The governing body of the local unit of government has passed a resolution affirming the use of this exception and filed that resolution with the department of labor & economic growth, bureau of construction codes.

403.13. Smokeproof exit enclosures. Every required stairway serving floors more than 55 feet (16764 mm) above the lowest level of fire department vehicle access shall comply with sections 909.20 and 1020.1.7 of the code.

907.2.12. High-rise buildings. Buildings having floors used for human occupancy located more than 55 feet (16764 mm) above the lowest level of fire department vehicle access shall be provided with an automatic fire alarm system and an emergency voice/alarm communication system in accordance with section 907.2.12.2 of the code.

Exceptions:

1. Airport traffic control towers in accordance with sections 412 and 907.2.22 of the code.
2. Open parking garages in accordance with section 406.3 of the code.
3. Buildings with an occupancy in group A-5.
4. Low-hazard special occupancies in accordance with section 503.1.1 of the code.
5. Buildings with an occupancy in group H-1, H-2, or H-3 in accordance with section 415 of the code.

907.8.2. High-rise buildings. In buildings used for human occupancy that have floors located more than 55 feet (16764 mm) above the lowest level of fire department vehicle access, a separate zone by floor shall be provided for all of the following types of alarm-initiating devices where provided:

1. Smoke detectors.
2. Sprinkler water-flow devices.
3. Manual fire alarm boxes.
4. Other approved types of automatic fire detection devices or suppression systems.

R 408.30430 Liquefied petroleum gas distribution facilities.

Rule 430. Section 415.6.3 of the code is amended to read as follows:

415.6.3. Liquefied petroleum gas distribution facilities. The design and construction of propane, butane, propylene, butylene, and other liquefied petroleum gas distribution facilities shall conform to the applicable provisions of the Michigan liquefied petroleum gas code, R 29.3801 to R 29.4035. The storage and handling of liquefied petroleum gas systems shall conform to the international fire code listed in chapter 35. The design and installation of piping, equipment, and systems that utilize liquefied petroleum gas shall be in accordance with the international fuel gas code listed in chapter 35. Liquefied petroleum gas distribution facilities shall be ventilated in accordance with the Michigan mechanical code, R 408.30901 to R 408.30998, and the requirements of the Michigan rules for the storage and handling of flammable and combustible liquids, R 29.4101 to R 29.5516.

R 408.30432 Flammable and combustible liquids.

Rule 432. Section 415.6.2 of the code is amended to read as follows:

415.6.2. Flammable and combustible liquids. The storage, handling, processing, and transporting of flammable and combustible liquids shall be in accordance with the Michigan mechanical code, R 408.30901 to R 408.30998, and the international fire code listed in chapter 35, and the requirements of the Michigan rules for the storage and handling of flammable and combustible liquids, R 29.4101 to R 29.5516.

R 408.30437 Truss design drawings.

Rule 437. Section 2303.4.1.2 of the code is amended to read as follows:

2303.4.1.2 Truss design drawings. Truss construction documents shall be prepared by a registered design professional and shall be provided to the building official and approved prior to installation.

These construction documents shall include, at a minimum, the following information. Truss shop drawings shall be provided with the shipment of trusses delivered to the job site.

1. Slope or depth, span and spacing.
2. Location of joints.
3. Required bearing widths.
4. Design loads as applicable.
5. Top chord live load (including snow loads).
6. Top chord dead load.
7. Bottom chord live load.
8. Bottom chord dead load.
9. Concentrated loads and their points of application.
10. Controlling wind and earthquake loads.
11. Adjustments to lumber and metal connector plate design value for conditions of use.
12. Each reaction force and direction.
13. Metal connector plate type, size, thickness or gage, and the dimensioned location of each metal connector plate except where symmetrically located relative to the joint interface.
14. Lumber size, species, and grade for each member.
15. Connection requirements are required for all of the following:
 - a. Truss to truss girder.
 - b. Truss ply to ply.
 - c. Field species.
16. Calculated deflection ratio or maximum deflection for live and total load.
17. Maximum axial compression forces in the truss members to enable the building designer to design the size, connections, and anchorage of the permanent continuous lateral bracing. Forces shall be shown on the truss construction documents or on supplemental documents.
18. Required permanent truss member bracing location.

R 408.30442 Automatic sprinkler systems.

Rule 442 . Section 903.2.7 of the code is amended to read as follows:

903.2.7. Group R. An automatic sprinkler system installed in accordance with section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception: Camp buildings in remote areas without municipal water supply that meet all of the following:

1. Not more than 1 story, 2000 square feet (186 m²) and 25 occupants.
2. Are used not more than 5 months in a year.
3. Shall be provided with not less than 2 exits in compliance with section 1019.
4. Shall not be provided with cooking equipment.
5. Provided with a manual fire alarm system and smoke alarms throughout in compliance with NFPA 72 as listed in chapter 35. For cabins sleeping 4 or fewer occupants only, smoke alarms are required.
6. Storage and equipment rooms shall be protected by a 1-hour fire partition.
7. Compliance with all applicable requirements of the code.

R 408.30444. Rescinded.

R 408.30445 Automatic sprinkler systems.

Rule 445. Section 903.2.10.3 of the code is amended to read as follows:

903.2.10.3. Buildings more than 30 feet (9144 mm) in height. An automatic sprinkler system shall be installed throughout a building that has a floor level which has an occupant load of 30 or more occupants and which is located 30 feet or more above the lowest level of fire department vehicle access.

Exceptions:

1. Airport control towers.
2. Open parking structures.
3. Occupancies in group F-2.
4. Existing buildings having occupied floor levels not more than 55 feet in height above the lowest level of fire department vehicle access, where the local unit of government complies with the following parameters:
 - 4.1. The local unit of government having a municipal fire department with an ISO rating of 3 or lower, employing a full time career fire fighting staff.
 - 4.2. The governing body of the local unit of government has passed a resolution affirming the use of this exception and filed that resolution with the department of labor & economic growth, bureau of construction codes .

R 408.30446 Smoke alarm locations.

Rule 446. Sections 907.2.10.1.2.1 and 907.2.10.1.2.2 are added to the code as follows:

907.2.10.1.2.1 Smoke alarm locations in existing buildings constructed before November 6, 1974. Within each dwelling unit or sleeping unit, a single-station smoke alarm shall be installed in the following locations:

1. In each sleeping room or each area directly outside the sleeping room.
2. On each floor level including the basement level.

For sleeping units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than 1 full story below the upper level.

Section 907.2.10.1.2.2 Equipment requirements.

907.2.10.1.2.2. The required equipment for smoke alarms shall consist of the following:

1. Installation. Smoke alarm devices shall be listed and installed in accordance with the manufacturer's installation requirements, the provisions of the code, and the provisions of NFPA 72 as listed in chapter 35.
2. Power Source. The equipment shall be operable by power from 1 of the following primary sources:
 - a. The building wiring provided the wiring is served from a commercial source and is equipped with a battery backup. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.
 - b. A non-rechargeable battery able to power the smoke alarm in the normal condition for a life of 5 years.
 - c. A rechargeable battery, with proper charging, able to power the alarm for a life of 5 years.
 - d. A commercial use alarm system with battery backup listed and approved in accordance with the commercial fire warning equipment provisions of NFPA 72, as adopted by reference in this rule.
3. Audible Alarm Notification. The activation of the alarm signal shall produce a sound that is audible in all occupiable dwelling areas.
4. Testing and Maintenance. The owner of a dwelling unit, in which required or optional fire detection or fire protection systems equipment is installed, shall be responsible for the proper operation, testing, and maintenance of the equipment in accordance with the manufacturer's instructions included with the equipment. The occupant of rental dwelling units shall be responsible for the periodic operational testing and periodic cleaning of the installed equipment within the rental unit in accordance with the testing instructions provided in the manufacturer's instructions for the equipment. If the system fails, breaks, or is out of service, it shall be repaired and functional within 30 days.

Exception: Smoke alarms and devices installed in buildings constructed before November 6, 1974 where an installation was approved by the appropriate enforcing agency under regulations in effect at the time of the installation shall be considered to comply with the provisions of the code.

R 408.30447 Smokeproof enclosures.

Rule 447. Section 1020.1.7 of the code is amended to read as follows:

1020.1.7. Smokeproof enclosures. In buildings required to comply with section 403 or 405 of the code, each of the exits of a building that serves stories where the floor surface is located more than 55 feet (16764 mm) above the lowest level of fire department vehicle access or more than 30 feet (9144 mm) below the level of exit discharge serving such floor levels shall be a smokeproof enclosure or pressurized stairway in accordance with section 909.20 of the code.

R 408.30448 Electrical.

Rule 448. Sections 2701.1, 2702.1, and 2702.2.6 of the code are amended to read as follows:

2701.1 Scope. This chapter governs the electrical components, equipment, and systems used in buildings and structures covered by the code. Electrical components, equipment, and systems shall be designed and constructed in accordance with the Michigan electrical code, R 408.30801 to R 408.30880.

2702.1. Installation. Emergency and standby power systems shall be installed in accordance with the Michigan electrical code, R 408.30801 to R 408.30880.

2702.2.6. Accessible means of egress platform lifts. Standby power in accordance with this section and the Michigan elevator code, R 408.7001 to R 408.8695, shall be provided for platform lifts that are part of an accessible means of egress in accordance with section 1007.5 of the code.

R 408.30449 Frost protection.

Rule 449. Section 1805.2.1 of the code is amended to read as follows:

1805.2.1. Frost protection. Except where otherwise protected from frost, foundation walls, piers, and other permanent supports of buildings and structures shall be protected from frost by at least 1 of the following methods:

1. Extending not less than 42 inches (1067 mm) below finish grade.
2. Constructing in accordance with ASCE-32 listed in chapter 35.
3. Erecting on solid rock.

Exceptions:

1. Free-standing buildings meeting all of the following conditions shall not be required to be protected:

- a. Classified in importance category I in accordance with section 1604.5 of the code.
- b. Area of --600square feet (55.74 m²) or less for light-frame construction or 400 square feet (37 m²) or less for other than light-frame construction.
- c. Eave height of 10 feet (3048 mm) or less.

2. Upon evidence of the existence of any of the following conditions, the building official may modify the footing depth accordingly:

- a. Freezing temperatures.
- b. Soil type.
- c. Groundwater conditions.
- d. Snow depth experience.
- e. Exposure to the elements.
- f. Other specific conditions identified by the building official that may affect the foundation system.

Footings shall not bear on frozen soil unless such frozen condition is of a permanent character.

R 408.30451c. Flood loads.

Rule 451c. Section 1612.4 of the code is amended and 1612.3.1, 1612.4.1, 1612.4.2, 1612.4.3, 1612.4.4, and 1612.4.5 are added to the code to read as follows:

1612.3.1. Alternate flood hazard provisions. Absent the adoption of a flood hazard map and supporting data, flood hazard areas as determined by the state under its administration of the Part 31, floodplain regulatory authority of the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106, shall become the basis for regulation of floodplain development within the community and section 1612 shall apply to buildings and structures within those areas.

1612.4. Design and construction. Buildings and structures as defined in ASCE 24 table 1-1, listed in chapter 35, and located in flood hazard areas shall be designed and constructed in accordance with sections 1512.4.1 to 1612.4.5 of the code.

1612.4.1 Buildings and structures located in flood hazard areas subject to high velocity wave action shall be designed and constructed in accordance with flood hazard areas subject to high velocity wave action of ASCE 24 listed in chapter 35.

1612.4.2 Type II buildings located in flood hazard areas not subject to high velocity wave action shall be designed and constructed in accordance with section 2.0 basic requirements for flood hazard areas and shall have the lowest floors elevated 1 foot (305 mm) above the 100-year design flood elevation.

1612.4.3 Type III and IV buildings located in flood hazard areas not subject to high velocity wave action shall be designed and constructed in accordance with section 2.0 basic requirements for flood hazard areas and shall have the lowest floors elevated 1 foot (305 mm) above the 500-year flood level.

1612.4.4 If the lowest floor of nonresidential buildings and structures as defined in ASCE 24 listed in chapter 35 are located in flood hazard areas and are not elevated as required in accordance with sections 1612.4.2 and 1612.4.3, Type II buildings shall be flood proofed to 1 foot above the design flood elevations and Type III & IV buildings shall be flood proofed to 1 foot above the 500-year flood level in accordance with the flood proofing requirements contained in ASCE 24 listed in chapter 35.

1612.4.5 Crawl space interior floor grade elevation shall comply with section 1807.1.2.1 of the code.

R 408.30457 Mechanical systems.

Rule 457. Section 2801.1 of the code is amended to read as follows:

2801.1. Scope. Mechanical appliances, equipment, and systems shall be constructed, installed, and maintained in accordance with the Michigan mechanical code, R 408.30901 to R 408.30998, and the international fuel gas code listed in chapter 35. Masonry chimneys, fireplaces, and barbeques shall comply with the Michigan mechanical code, R 408.30901 to R 408.30998, and chapter 21 of the code.

R 408.30458 Elevators and conveying systems.

Rule 458. Sections 3001.1, 3001.2, 3001.4, 3002.5, 3002.6, 3003.1, 3003.2, and 3004.4, of the code are amended and sections 3001.2.1, 3001.2.2, 3003.1.5 and 3004.5 are added to the code to read as follows:

3001.1. Scope. The design, construction, installation, alteration, and repair of elevators and conveying systems and their equipment shall conform with the requirements of the Michigan elevator laws and rules, MCL 408.801 to 408.824, MCL 338.2151 to 338.2160, and R 408.7001 to R 408.8695 and this chapter. Installation or construction in flood hazard areas established in section 1612.3 shall comply with ASCE 24 listed in chapter 35.

3001.2. Other devices. Other devices shall conform to the requirements of sections 3001.2.1 and 3001.2.2 of the code.

3001.2.1. Conveyors. Conveyors and related equipment shall conform to the requirements of ASME B20.1 listed in chapter 35.

3001.2.2. Automotive lifts. Automotive lifts shall conform to the requirements of ALI ALCTV listed in chapter 35.

3001.4. Change in use. A change in use of an elevator from freight to passenger, passenger to freight, or from 1 freight class to another freight class shall comply with the requirements of the Michigan elevator code, R 408.7001 to R 408.8695.

3002.5. Emergency doors. Where an elevator is installed in a single blind hoistway or on the outside of a building, there shall be installed in the blind portion of the hoistway or blank face of the building, an emergency door in accordance with the requirements of the Michigan elevator code, R 408.7001 to R 408.8695.

3002.6. Prohibited doors. Doors, other than hoistway doors and the elevator car door, shall be prohibited at the point of access to an elevator car.

3003.1. Standby power. In buildings and structures where standby power is required or furnished to operate an elevator, the operation shall be in accordance with sections 3003.1.1 to 3003.1.5 of the code.

3003.1.5. Lighting. Where standby power is connected to elevators, the machine room, car top, pit, and landing lighting shall be connected to the standby power source.

3003.2 Fire-fighters' emergency operation. Elevators shall be provided with phase I emergency recall operation and phase II emergency in-car operation in accordance with the requirements of the Michigan elevator code, R 408.7001 to R 408.8695.

3004.4. Plumbing and mechanical systems. Plumbing and mechanical systems shall not be located in an elevator shaft.

Exception: Floor drains, sumps, and sump pumps exclusively for draining the elevator pit shall be permitted at the base of the shaft provided they are indirectly connected to the plumbing system.

3004.5. Construction at bottom of hoistway. Pits extending to the ground shall have noncombustible floors and be designed as to prevent entry of ground water into the pit. The pit floor of any hoistway not extending to the ground shall be of fire-resistive construction having a fire-resistance rating at least equal to that required for the hoistway enclosure.

R 408.30459 Elevators.

Rule 459. Sections 1007.4 and 1607.8.1 of the code are amended to read as follows:

1007.4. Elevators. To be considered part of an accessible means of egress, an elevator shall comply with the emergency operation and signaling device requirements of the Michigan elevator code, R 408.7001 to R 408.8695.

1607.8.1. Elevators. Elevator loads shall be increased by 100% for impact and the structural supports shall be designed within the limits of deflection prescribed by the Michigan elevator code, R 408.7001 to R 408.8695.

R 408.30475 Existing structures.

Rule 475. Sections 3409.1, 3409.4 3409.6, 3409.7, 3409.8.2, 3409.8.3 and 3410.6.14 of the code are amended to read as follows:

3409.1. Scope. The provisions of sections 3409.2 to 3409.9 of the code apply to the maintenance, change of occupancy, additions, and alterations to existing buildings, including those identified as historic buildings in accordance with 1966 PA 1, MCL 125.1351 to 125.1356.

Exception: Type B dwelling or sleeping units required by section 1107 are not required to be provided in existing buildings and facilities.

3409.. Change of occupancy. Unless technically infeasible, section 3409.6 of the code shall be applied in accordance with 1966 PA 1, MCL 125.1351 to 125.1356.

3409.6. Alterations. A building, facility, or element that is altered shall comply with the applicable provisions in chapter 11 of the code and ICC/ANSI A117.1 listed in chapter 35, unless technically

infeasible. When compliance with this section is technically infeasible, then the alteration shall provide access to the maximum extent technically feasible.

Exceptions:

1. The altered element or space is not required to be on an accessible route, unless required by section 3409.7 of the code.

2. Accessible means of egress required by chapter 10 of the code are not required to be provided in existing buildings and facilities.

3. Buildings, structures, or improved areas which exist on or before the effective date of these rules and which are in compliance with the code at the time of the issuance of the certificate of occupancy unless the alteration specifically modifies an area covered by sections 3409.7 to 3409.9.4 of the code.

4. The alteration to type A individually owned dwelling units within a group R-2 occupancy shall meet the provision for a type B dwelling unit and shall comply with the applicable provisions in chapter 11 and ICC/ANSI A 117.1 as listed in chapter 35.

3409.7. Alterations affecting an area containing a primary function. When an alteration affects the accessibility to, or contains an area of primary function, then the route to the primary function area shall be accessible. The accessible route to the primary function shall include accessible toilets and drinking fountains serving the area of the primary function.

Exceptions:

1. This section does not apply to alterations limited solely to windows, hardware, operating controls, electrical outlets, and signs.

2. This section does not apply to alterations limited solely to mechanical systems, electrical systems, the installation or alteration of fire-protection systems, and the abatement of hazardous materials.

3. This section does not apply to alterations undertaken for the primary purpose of increasing the accessibility of an existing building, facility, or element.

3409.8.2. Elevators. Altered elements of existing elevators shall comply with the Michigan elevator code, R 408.7001 to R 408.8695 and ICC/ANSI A 117.1 as listed in chapter 35. Such elements shall also be altered in elevators programmed to respond to the same hall call control as the altered elevator.

3409.8.3. Platform lifts. Platform (wheelchair) lifts complying with ICC/ANSI A 117.1 and installed in accordance with the Michigan elevator code, R 408.7001 to R 408.8695 shall be permitted as a component of an accessible route.

3410.6.14. Elevator control. Evaluate the passenger elevator equipment and controls that are available to the fire department to reach all occupied floors. Elevator recall controls shall be provided in accordance with the Michigan elevator code, R 408.7001 to R 408.8695. Under the categories and occupancies in table 3410.6.14, determine the appropriate value and enter that value into table 3410.7 of the code under safety parameter 3410.6.14, elevator control, for fire safety, means of egress and general safety. The values shall be zero for a single-story building.

R 408.30495 Rodent proofing.

Appendix F101.1 of the code is amended and F101.1.1 is added to the code to read as follows:

F101.1. General. Buildings or structures and the walls enclosing habitable or occupiable rooms and spaces in which people live, sleep, or work, or in which feed, food, or foodstuff is stored, prepared, processed, served, or sold shall be constructed in accordance with this section. Other buildings are subject to these requirements as provided in section F101.1.1 of the code.

F101.1.1. Additional buildings. In a community that has a vermin infestation program for the eradication of vermin enacted by local ordinance, all buildings identified within such an ordinance shall be constructed in accordance with this section.

R 408.30499 Adoption of standards by reference; referenced codes.

Rule 499. Chapter 35 of the code is amended to add the following referenced codes, which are available from the Michigan Department of Labor & Economic Growth, Bureau of Construction Codes, 2501 Woodlake Circle, Okemos, Michigan 48864:

- | | |
|----------------------------------|--|
| (a) Michigan Electrical Code | R 408.30801 to R 408.30880, of the Michigan Administrative Code. |
| (b) Michigan Mechanical Code | R 408.30901 to R 408.30998a of the Michigan Administrative Code. |
| (c) Michigan Plumbing Code | R 408.30701 to R 408.30796 of the Michigan Administrative Code. |
| (d) Michigan Uniform Energy Code | R 408.31061 to R 408.31099 of the Michigan Administrative Code. |
| (e) Michigan Elevator Code | R 408.7001 to R 408.8695 of the Michigan Administrative Code. |
| (f) Michigan Boiler Code | R 408.4001 to R 408.5507 of the Michigan Administrative Code. |

RESIDENTIAL CODE

R 408.30503 Approved materials and equipment.

Rule 503. Sections R104.9 of the code is amended to read as follows:

R104.9. Approved materials and equipment. Materials, equipment, and devices shall be constructed or installed in accordance with approvals granted under the act or by the building official. The building official shall review reports prepared by recognized evaluation services and determine if the intent of the code is met.

R 408.30504 Alternative materials, design, and methods of construction and equipment.

Rule 504. Section R104.11 of the code is amended to read as follows:

R104.11. Alternative materials, design, and methods of construction and equipment. The provisions of the code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by the code, if the alternative has been approved. An alternative material, design, or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of the code, and that the material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed in the code. Compliance with the specific performance-based provisions of the Michigan building, R 408.30401 to R 408.30547, electrical, R 408.30801 to R 408.30880, mechanical, R 408.30901 to R 408.30998 and plumbing, R 408.30701 to R 408.30796, codes instead of specific requirements of the code shall also be permitted as an alternate.

R 408.30505 Work exempt from permit..

Rule 505. Section R105.2 of the code is amended to read as follows:

R105.2. Work exempt from permit. Exemption from the permit requirements of the code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of the code or any other laws or ordinances of this jurisdiction. Permits are not required for any of the following:

- (a) Building permits shall not be required for any of the following:
 - (i) One-story detached accessory structures, if the floor area does not exceed 200 square feet (18.58 m²).

- (ii) A fence that is not more than 6 feet (1829 mm) high.
- (iii) A retaining wall that is not more than 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
- (iv) A water tank supported directly upon grade if the capacity is not more than 5,000 gallons (18 927 L) and the ratio of height to diameter or width is not greater than 2 to 1.
- (v) A sidewalk or driveway that is not more than 30 inches (762 mm) above adjacent grade and is not over any basement or story below.
- (vi) Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
- (vii) A prefabricated swimming pool that is less than 24 inches (610 mm) deep.
- (viii) Swings and other playground equipment accessory to a 1- or 2-family dwelling.
- (ix) Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
- (b) Electrical permits shall not be required for the following:
Repairs and maintenance: A permit is not required for minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
- (c) Mechanical permits shall not be required for any of the following:
 - (i) Portable heating, cooking, or clothes drying appliances.
 - (ii) Replacement of any minor part that does not alter approval of equipment or make the equipment unsafe.
 - (iii) A portable heating appliance.
 - (iv) A portable ventilation appliance.
 - (v) A portable cooling unit.
 - (vi) Steam, hot or chilled water piping within any heating or cooling equipment regulated by the code.
 - (vii) Replacement of any minor part that does not alter approval of equipment or make the equipment unsafe.
 - (viii) A portable evaporative cooler.
 - (ix) A self-contained portable refrigeration unit that is not more than 1.5 horsepower (1119 W).
 - (x) Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.
 - (xi) Gas piping limited to 10 feet (3048 mm) in length and not more than 6 fittings.
- (d) Plumbing permits shall not be required for any of the following:
 - (i) The stopping of leaks in drains, water, soil, waste or vent pipe; if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, then the work is considered as new work and a permit shall be obtained and inspection made as provided in the code.
 - (ii) The clearing of stoppages or the repairing of leaks in pipes, valves, or fixtures, and the removal and reinstallation of water closets, if the repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

R 408.30506 Submittal documents.

Rule 506. Sections R106.1 and R802.10.1 of the code are amended and section R106.1.4 and figure 802.10.1 are added to the code to read as follows:

R106.1. Submittal documents. Construction documents, special inspection and structural program and other data shall be submitted in 1 or more sets with each application for a permit. The construction documents shall be prepared by or under the direct supervision of a registered design professional when required by 1980

PA 299, MCL 339.101 to 339.2721, and known as the Michigan occupational code. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

R106.1.4. Truss design data. As an alternative to the submission of truss design drawings, the truss design data sheet may be provided to the building official as part of the construction documents at the time of application. Truss design drawings shall be submitted to the building official prior to truss installation as required by section R802.10.1.

R802.10.1 Truss design drawings. Truss design drawings, prepared in conformance with section R802.10.1, shall be provided to the building official and approved prior to installation. The truss design data sheet, figure R802.10.1, may be provided to the building official at the time of permit application, as an alternative to design drawings as permitted in section R106.1.4. Truss design drawings shall include, at a minimum, the information specified below. Truss design drawings shall be provided with the shipment of trusses delivered to the jobsite.

1. Slope or depth, span, and spacing.
2. Location of all joints.
3. Required bearing widths.
4. Design loads as applicable.
 - a. Top chord live load (including snow loads).
 - b. Top chord dead load.
 - c. Bottom chord live load.
 - d. Bottom chord dead load.
 - e. Concentrated loads and their points of application.
 - f. Controlling wind and earthquake loads.
5. Adjustments to lumber and joint connector design values for conditions of use.
6. Each reaction force and direction.
7. Joint connector type and description (e.g., size, thickness, or gauge) and the dimensioned location of each joint connector except where symmetrically located relative to the joint interface.
8. Lumber size, species, and grade for each member.
9. Connection requirements for the following:
 - a. Truss to truss girder.
 - b. Truss ply to ply.
 - c. Field splices.
10. Calculated deflection ratio and/or maximum description for live and total load.
11. Maximum axial compression forces in the truss members to enable the building designer to design the size, connections, and anchorage of the permanent continuous lateral bracing. Forces shall be shown on the truss design drawing or on supplemental documents.

Roof Loading Data Sheet

Authority: 1972 PA 230

Completion:

Completed prior to application for plan review and building permit. This form is a voluntary form used to assist in the permit review process.

Jurisdictional information should be included in this space

Applicant's Name:		Date:
Applicant's Address:		Permit Number:
City:	State:	Zip:
Applicant's Signature:		
Job Location:		
Address:		
Township/Village/City:		County:

THIS FORM SHOULD BE COMPLETED BY THE PERMIT APPLICANT, OR DESIGN PROFESSIONAL FOR C_e, C_t, AND I, PLACE AN "X" IN THE APPROPRIATE BOX THAT BEST DESCRIBES THE STRUCTURE.

Ground Exposure, P _g = _____	From Figure R301.2(5) MRC or Figure 1608.2 MBC
---	--

Exposure Factor C _e							
Exposure		Fully Exposed ¹		Partially Exposed ²		Sheltered ³	
A	Large city center with at least 1/2 the buildings exceeding 70 ft. in height.	N/A		1.1		1.3	
B	Urban and suburban areas, wooded areas or other terrain with closely spaced objects having the size of single-family dwellings or larger.	0.9		1		1.2	
C	Open terrain with scattered obstructions having heights less than 30 ft. (flat open country)	0.9		1		N/A	
D	Flat unobstructed areas exposed to wind flowing over open water for a distance of at least 1 mile. (i.e. Great Lakes.)	0.8		0.9		N/A	

¹Fully Exposed: Roofs exposed on all sides with no shelter by terrain, higher structures, or trees.

²Partially Exposed: All roofs except those designated as "fully exposed" or "sheltered."

³Sheltered: Roofs located tight among conifers that qualify as obstructions.

Thermal Factor C_t

Thermal Condition ⁴	C _t
All structures except as listed below	1
Structures kept just above freezing and those with cold, ventilated roofs with an R factor of 25 or greater between the ventilated and heated spaces, such as attics	1.1
Unheated structures and those intentionally kept below freezing, such as seasonal building or storage buildings	1.2
Continuously heated greenhouse with a roof R Value less than 2 and having an interior temperature maintained at about 50 degrees 3 ft above the floor during winter months and a temperature alarm system or an attendant to warn of a heating failure.	0.85

⁴These conditions shall be representative of the anticipated conditions during winter months for the life of the structure

Importance Factor

Category	I
I Building and other structures representing low hazard to human life, i.e.: Agricultural, Temporary, and Minor Storage Facilities.	0.8
II All buildings except those listed in Categories III and IV.	1
III Building and other structures representing substantial hazard to human life in the event of failure.	1.1
IV Buildings and other structures designated as essential facilities.	1.2

Attic Live Load

Entire Attic	Y/N
Specific Areas (if yes, list areas below)	Y/N
List Rooms:	

R 408.30507 Exhaust installation.

Rule 507. Section G2439.3 (614.4) of the code is amended to read as follows:

G2439.3 (614.4). Exhaust installation. Dryer exhaust ducts for clothes dryers shall terminate on the outside of the building, shall not terminate within 4 feet of a ventilated section in a soffit, and shall be equipped with a backdraft damper. Screens shall not be installed at the duct termination. Ducts shall not be connected or installed with sheet metal screws or other fasteners that will obstruct the flow. Clothes dryer exhaust ducts shall not be connected to a vent connector, vent, or chimney. Clothes dryer exhaust ducts shall not extend into or through ducts or plenums.

R 408.30508 Payment of fees.

Rule 508. Section R108.1 of the code is amended to read as follows:

R108.1. Fees. The fees prescribed in the act shall be paid to the enforcing agency of the jurisdiction before a permit to begin work for new construction, alteration, removal, demolition, or other building operation may be issued. In addition, an amendment to a permit necessitating an additional fee shall not be approved until the additional fee is paid.

R 408.30509 Frame and masonry inspection.

Rule 509. Section R109.1.4 of the code is amended to read as follows:

R109.1.4. Frame and masonry inspection. Inspection of framing construction shall be made after the roof, all framing, firestopping, draftstopping, and bracing are in place and after the plumbing, mechanical, and electrical rough inspections are approved. Masonry inspections shall be made after the completed installation of base course flashing as specified in section R703.7.5 of the code and water-resistive barrier as specified in section R703.2 of the code and after the masonry construction is completed.

R 408.30510 Use and occupancy.

Rule 510. Sections R110.1 and R110.2 of the code are amended to read as follows:

R110.1. Use and occupancy. A building or structure shall not be used or occupied, and a change in the existing occupancy classification of a building or structure or portion thereof shall not be made until a certificate of occupancy has been issued in accordance with the act.

R110.2. Change in use. A change in the character or use of an existing structure shall not be made, except as specified in the Michigan building code, R 408.30401 to R 408.30547.

R 408.30511 Violation penalties.

Rule 511. Section R113.4 of the code is amended to read as follows:

R113.4. Violation penalties. It is unlawful for any person, firm, or corporation to violate a provision of the code or fail to conform with any of the requirements thereof, or erect, construct, alter, extend, repair, move, remove, demolish, or occupy any building, structure, or equipment regulated by the code, or cause work to be performed or done in conflict with or in violation of the approved construction documents or directive of the enforcing agency, or a permit or certificate issued under the code. A violator shall be assessed a fine in accordance with the act.

R 408.30512 Notice to owner.

Rule 512. Section R114.1 of the code is amended to read as follows:

R114.1. Notice to owner. Upon notice from the enforcing agency, work on any building or structure that is being done contrary to the code or in a dangerous or unsafe manner shall immediately cease. The notice shall be in accordance with the act. Any person who is served with a stop work order, except for

work that the person is directed to perform to remove a violation or unsafe condition is subject to the penalty provisions in the act.

R 408.30513 Definitions.

Rule 513. The definitions of building, registered design professional, and sunroom addition in section R202 of the code are amended, the definition of residential building type is deleted, and the definition of structure is added to section R202 to read as follows:

R202. Definitions.

"Building" means a combination of materials, whether portable or fixed, forming a structure affording a facility or shelter for use or occupancy by persons, animals, or property. The term does not include a building incidental to the use for agricultural purposes of the land on which the building is located if it is not used in the business of retail trade. The term shall be construed as though followed by the words "or part or parts of the building and all equipment in the building" unless the context clearly requires a different meaning.

"Registered design professional" means an individual who is licensed under 1980 PA 299, MCL 339.2001 to 339.2721.

"Structure" means that which is built or constructed, an edifice or building of any kind, or a piece of work artificially built up or composed of parts joined together in some definite manner. Structure does not include a structure incident to the use for agricultural purposes of the land on which the structure is located and does not include works of heavy civil construction including without limitation any of the following:

- (a) A highway.
- (b) A bridge.
- (c) A dam.
- (d) A reservoir.
- (e) A lock.
- (f) A mine.
- (g) A harbor.
- (h) A dockside port facility.
- (i) An airport landing facility.
- (j) A facility for the generation, or transmission, or distribution of electricity.

Structure shall be construed as though followed by the word "or part or parts of the structure and all equipment in the structure," unless the context clearly indicates otherwise.

"Sunroom addition" means a new structure with glazing in excess of 40% of the gross area of the structure's exterior walls and roof added to an existing dwelling.

R 408.30514 Means of appeal.

Rule 514. Sections R112.1 and R112.3 of the code are amended to read as follows:

R112.1 Means of appeal. An interested person has the right to appeal a decision of the enforcing agency to the board of appeals in accordance with the act. An application for appeal shall be based on a claim that the true intent of the code or the rules governing construction have been incorrectly interpreted, the provisions of the code do not apply, or an equal or better form of construction is proposed. The decision of a local board of appeals may be appealed to the construction code commission in accordance with the act and timeframes.

Exception: Requests for barrier free design exception shall be in accordance with 1966 PA 1, MCL 125.1351 to 125.1356.

112.3 Qualifications. The board of appeals shall consist of members who are qualified in accordance with the act.

R 408.30516 Design criteria.

Rule 516. Table R301.2(1) of the code is amended and figures R301.2(7) and R301.2(8) are added to the code to read as follows:

TABLE R 301.2(1)

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

Ground Snow Load	Wind Speed ^d (mph)	Seismic Design Category ^f	Subject to Damage From			Winter Design Temp ^e	Ice Barrier Underlayment Required ^h	Flood Hazards ^g	Air Freezing Index ⁱ	Mean Annual Temp ^j
			Weathering ^a	Frostline depth ^b	Termite ^c					
Figure R301.2(5)	90	See Sec.R301.2 .2.1 & Figure R301.2(2)	Severe	42" See Note b	Figure R301.2(6)	See Note e	Yes	See Note g	Figure R403.3(2)	See footnote J

For SI: 1 pound per square foot = 0.0479 kN/m², 1 mile per hour = 1.609 km/h.

a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., “negligible”, “moderate” or “severe”) for concrete as determined from the weathering probability map [figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652 as listed in chapter 43.

b. The frost line depth may be modified as provided in section R403.1.4 of the code.

c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local damage.

d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [figure R301.2(4)]. Wind exposure category shall be determined on a site-specific basis in accordance with section R301.2.1.4 of the code.

e. The winter design temperature criteria shall be taken from appendix D of the Michigan plumbing code, R 408.30701 to R 408.30796.

f. Design category determined from section R301.2.2.1 of the code.

g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction’s entry into the national flood insurance program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the currently effective FIRM and FBFM or other flood hazard map adopted by the community, as may be amended. Absent (a) or (b), flood hazard areas as determined by the state under its administration of the Part 31, floodplain regulatory authority of the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106, shall become the basis for regulation of floodplain development within the community and section R324 of the code shall apply to buildings and structures within those areas.

h. In accordance with sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1 of the code, for areas where the average daily temperature in January is 25 degrees Fahrenheit (-4 degrees Celsius) or less, or where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with “YES”. Otherwise, the jurisdiction shall fill in this part of the table with “NO”.

i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (bf-days) from figure R403.3(2) or from the 100-year (99%) value on the national climatic data center data table “air freezing index-USA method (base 32 degrees Fahrenheit)”.

j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the national climatic data center data table “air freezing index-USA method (base 32 degrees Fahrenheit)” at www.ncdc.noaa.gov/fpsf.html.

R 408.30518 Means of egress.

Rule 518. Sections R311.6.4 and R311.4.2.1 are added to the code and R311.4.2 of the code is amended to read as follows:

R311.6.4 Modular ramps. Modular ramp systems approved pursuant to the act are not required to comply with the requirements of section R403.1.4 of the code.

R311.4.2. Door type and size. The required exit door shall be a side-hinged door not less than 3 feet (914 mm) in width and 6 feet, 8 inches (2032 mm) in height. Other exterior hinged or sliding doors shall not be less than 24 inches in width and 6 feet, 6 inches in height.

R311.4.2.1. Interior doors. Interior doors shall be not less than 24 inches in width and 6 feet, 6 inches in height.

Exception: Doors to areas less than 10 square feet of floor area.

R 408.30520 Wood wall framing. Rule 520. Section R602.10.5 of the code is amended to read as follows:

R602.10.5. Continuous structural panel sheathing. When continuous wood structural panel sheathing is provided in accordance with method 3 of R602.10.3 of the code, including areas above and below openings, braced wall panel lengths shall be in accordance with table R602.10.5 of the code. Wood structural panel sheathing shall be installed at corners in accordance with figure R602.10.5 of the code. The bracing amounts in table R602.10.1 of the code for method 3 shall be permitted to be multiplied by a factor of 0.9 for walls with a maximum opening height that does not exceed 85% of the wall height or a factor of 0.8 for walls with a maximum opening height that does not exceed 67% of the wall height.

R 408.30521 Elevation requirements.

Rule 521. Section R324.2.1 of the code is amended to read as follows;

R324.2.1. Elevation requirements. (1) Buildings and structures shall have the lowest floor including basements elevated so the lowest point of the floor’s concrete or subfloor surface is 1 foot (305 mm) or more above the design flood elevation. The bottom of the lowest horizontal structural member of the floor system shall not be lower than the design flood elevation. Compliance with this elevation requirement shall be based upon measurement taken from the floor surface without the final floor covering and from the bottom of the lowest horizontal structural member of the floor system.

(2) Crawl space interior floor grade elevation shall comply with R408.6 of the code.

(3) Basement floors that are below grade on all sides shall be considered lowest floors and shall be elevated so that the lowest point of the floor surface is 1 foot (305 mm) or more above the design flood elevation. Compliance with this elevation requirement shall be based upon measurement taken from the floor surface without the final floor covering.

Exception: Enclosed areas below the design flood elevation, including basements that have floors which are not below grade on all sides, shall meet the requirements of section R324.2.2 of the code.

R 408.30522 Minimum depth.

Rule 522. Section R403.1.4 of the code is amended to read as follows:

R403.1.4. Minimum depth. All exterior footings and foundation systems shall extend 42 inches below actual grade. Where applicable, the depth of the footings shall also conform to sections R403.1.4.1 to R403.1.4.2 of the code.

Exception:

Upon evidence of the existence of any of the following conditions, the building official may modify the footing depth accordingly:

- (a) Freezing temperatures (freezing degree days).
- (b) Soil type.
- (c) Ground water conditions.
- (d) Snow depth experience.
- (e) Exposure to the elements.
- (f) Other specific conditions identified by the building official that may affect the foundation system.

R 408.30522a Concrete and masonry foundation walls.

Rule 522a. Section R404.1 is added to the code to read as follows:

R404.1 Concrete and masonry foundation walls. Concrete and masonry foundation walls shall be selected and constructed in accordance with the provisions of section R404 or in accordance with ACI 318, ACI 332, NCMA TR68-A or ACI 530/ASCE 5/TMS 402 or other approved structural standards. When ACI 318, ACI 332 or ACI 530/ASCE 5/TMS 402 or the provisions of section R404 are used to design concrete or masonry foundation walls, project drawings, typical details and specifications are not required to bear the seal of the architect or engineer responsible for design, unless otherwise required by the state law of the jurisdiction having authority.

R 408.30525 Scope.

Rule 525. Section M1301.1 of the code is amended to read as follows:

M1301.1. Scope. The provisions of this chapter shall govern the installation of mechanical systems not specifically covered in other chapters applicable to mechanical systems. Installations of mechanical appliances, equipment, and systems not addressed by the code shall comply with the applicable provisions of the Michigan mechanical code, R 408.30901 to R 408.30998 and the international fuel gas code.

R 408.30526 Sizing.

Rule 526. Section M1401.3 of the code is amended to read as follows:

M1401.3. Sizing. Heating and cooling equipment shall be sized in accordance with ACCA manual S 3-2004, as listed in chapter 43, based on building loads calculated in accordance with the provisions of ACCA Manual J-2002 listed in chapter 43 or other approved heating and cooling calculation methodologies. Ductwork shall be sized in accordance with the provisions of ACCA Manual D-1995, as listed in chapter 43.

R 408.30528 Terms defined in other codes.

Rule 528. Section G2402.3 of the code is amended to read as follows:

G2402.3. Terms defined in other codes. Where terms are not defined in the code and are defined in the Michigan electrical code, R 408.30801 to R 408.30880, Michigan building code, R 408.30401 to R 408.30547, international fire code listed in chapter 43, Michigan mechanical code, R 408.30901 to R 408.30998 or Michigan plumbing code, R 408.30701 to R 408.30796, the terms shall have the meanings ascribed to them as in those codes.

R 408.30529 Lining required.

Rule 529. Section P2709.2 of the code is amended as follows:

P2709.2. Lining required. The adjoining walls and floor framing enclosing on-site built-up shower receptors shall be lined with sheet lead, copper, or a plastic liner material that complies with ASTM D 4068 or ASTM D 4551 listed in chapter 43. The lining material shall extend not less than 3 inches (76

mm) beyond or around the rough jambs and not less than 3 inches (76 mm) above the finished thresholds.

R 408.30530 Requirements for discharge pipe.

Rule 530. Section P2803.6.1 of the code is amended to read as follows:

P2803.6.1. Requirements for discharge pipe. Relief valves shall not discharge so as to be a hazard, a potential cause of damage, or a nuisance. A relief valve discharge pipe shall be provided for each individual relief valve and shall meet all of the following:

- a. Shall terminate atmospherically not more than 4 inches (102 mm) from the floor with an unthreaded end.
- b. Shall not be interconnected.
- c. Valves shall not be connected in the relief valve discharge pipe.
- d. Shall be rigid pipe approved for water distribution, with a minimum temperature rating of 210 degrees Fahrenheit.
- e. Shall have the same nominal inside diameter as the relief valve outlet and shall drain by gravity flow.

The outlet of a pressure, temperature, or other relief valve shall not be directly connected to the drainage system.

R 408.30531 Duct construction.

Rule 531. Section M1601.3.1 of the code is amended to read as follows:

M1601.3.1. Joints and seams. Joints of duct systems shall be made substantially airtight by means of tapes, mastics, gasketing, cleats, or other approved closure systems. Joints of duct systems located outside the building thermal envelope shall be made airtight by means of tapes, mastics, caulk, gasketing, or other approved sealants. Closure systems used with rigid fibrous glass ducts shall comply with UL 181A and shall be marked “181A-P” for pressure-sensitive tape, “181A-M” for mastic or “181A-H” for heat-sensitive tape. Closure systems used with flexible air ducts and flexible air connectors shall comply with UL 181B and shall be marked “181B-FX” for pressure-sensitive tape or “181B-M” for mastic. Duct connections to flanges of air distribution system equipment or sheet metal fittings shall be mechanically fastened. Mechanical fasteners for use with flexible nonmetallic air ducts shall comply with UL 181B and shall be marked 181B-C. Crimp joints for round ducts shall have a contact lap of at least 1.5 inches (38 mm) and shall be mechanically fastened by means of at least 3 sheet metal screws or rivets spaced around the joint.

R 408.30534 Venting. Rule 534. Section P3105.1 and tables 3002.1 (1), 3002.1 (2) and 3002.2 are amended and section 3105.4 and figure 3105.4 are added to the code and figure N3 in appendix N of the code is amended to read as follows:

P3105.1. Distance of trap from vent. Each fixture trap shall have a protecting vent located so that the slope and the developed length in the fixture drain from the trap weir to the vent fitting are within the requirements set forth in table P3105.1 of the code.

P3105.4. Vertical leg for waste fixture drains. A vertical leg (see figure P3105.4) is permitted within a fixture drain of a waste fixture in accordance with the following criteria:

1. Minimum trap diameter shall be in accordance with table P3201.7 of the code.
2. The diameter of section A shall be equal to the diameter of the trap.
3. The length of section A shall not be less than 8 inches (203 mm) and in accordance with table P3105.1 of the code.
4. The diameter of section B shall be 1 pipe size larger than the diameter of Section A.
5. The length of section B shall not be more than 36 inches (914 mm).

6. The diameter of section C shall be 1 pipe size larger than the diameter of section B.
7. The total length of section A and section C shall not exceed the distance allowed in table P3105.1 of the code.
8. Bends shall be the diameter of the largest connected section.

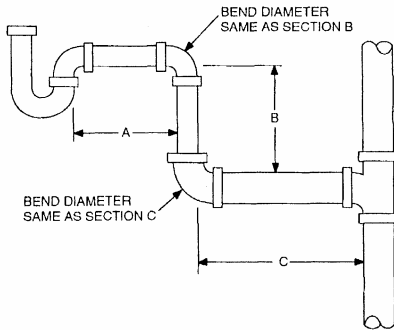
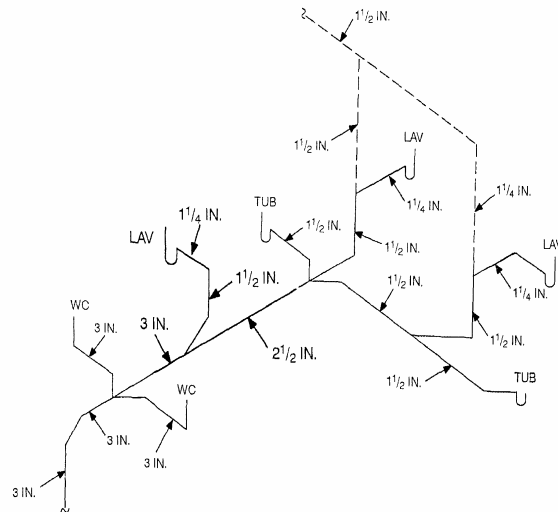


FIGURE P3105.4
VERTICAL LEG FIXTURE DRAIN SCHEMATIC

Figure N3. Typical horizontal wet venting.



For SI: 1 inch = 25.4 mm.

Note: The lower lavatory connected to the horizontal part of the wet vent illustrates a portion of Section P3105.4 Vertical leg for waste fixture drains.

FIGURE N3
TYPICAL HORIZONTAL WET VENTING

TABLE P3002.1 (1)

MATERIAL	STANDARD
Acrylonitrile butadiene styrene (ABS) plastic pipe	ASTM D 2661; ASTM F 628; CSA B 181.1
Brass pipe	ASTM B 43
Cast-iron pipe	ASTM A 74; CISPI 301; ASTM A 888
Coextruded composite ABS DWV schedule 40 IPS pipe (solid)	ASTM F 1488
Coextruded composite ABS DWV schedule 40 IPS pipe (cellular core)	ASTM F 1488
Coextruded composite PVC DWV schedule 40 IPS pipe (solid)	ASTM F 1488
Coextruded composite PVC DWV schedule 40 IPS pipe (cellular core)	ASTM F 1488; ASTM F 891
Coextruded composite ABS IPS-DR, PS140, PS200 DWV	ASTM F 1488
Coextruded composite PVC IPS-DR, PS140, PS200 DWV	ASTM F 1488
Copper or copper-alloy pipe	ASTM B 42; ASTM B 302
Copper or copper-alloy tubing (Type K, L, M or DWV)	ASTM B 75; ASTM B 88; ASTM B 251; ASTM B 306
Galvanized steel pipe	ASTM A 53
Polyolefin pipe	CSA B181.3
Polyvinyl chloride (PVC) plastic pipe (Type DWV)	ASTM D 2665; ASTM D 2949; CSA B181.2; ASTM F 1488
Stainless steel drainage systems, Types 304 and 316L	ASME A112.3.1

ABOVE-GROUND DRAINAGE AND VENT PIPE

TABLE P3002.1(2)

UNDERGROUND BUILDING DRAINAGE AND VENT PIPE

MATERIAL	STANDARD
Acrylonitrile butadiene styrene (ABS) plastic pipe	ASTM D 2661; ASTM F 628; CSA B181.1
Asbestos-cement pipe	ASTM C 428
Cast-iron pipe	ASTM A 74; CISPI 301; ASTM A 888
Coextruded composite ABS DWV schedule 40 IPS pipe (solid)	ASTM F 1488
Coextruded composite ABS DWV schedule 40 IPS pipe (cellular core)	ASTM F 1488
Coextruded composite PVC DWV schedule 40 IPS pipe (solid)	ASTM F 1488
Coextruded composite PVC DWV schedule 40 IPS pipe (cellular core)	ASTM F 891; ASTM F 1488
Coextruded composite ABS IPS-DR, PS140, PS200 DWV	ASTM F 1488
Coextruded composite PVC IPS-DR, PS140, PS200 DWV	ASTM F 1488
Copper or copper alloy tubing (Type K, L, M or DWV)	ASTM B 75; ASTM B 88; ASTM B 251; ASTM B 306
Polyolefin pipe	ASTM F 1412; CSA B181.3
Polyvinyl chloride (PVC) plastic pipe (Type DWV)	ASTM D 2665; ASTM D 2949; CSA B181.2
Stainless steel drainage systems, Type 316L	ASME A112.3.1

TABLE P3002.2

BUILDING SEWER PIPE

MATERIAL	STANDARD
Acrylonitrile butadiene styrene (ABS) plastic pipe	ASTM D 2661; ASTM D 2751; ASTM F 628
Asbestos-cement pipe	ASTM C 428
Cast-iron pipe	ASTM A 74; ASTM A 888; CISPI 301

Coextruded composite ABS DWV schedule 40 IPS pipe (solid)	ASTM F 1488
Coextruded composite ABS DWV schedule 40 IPS pipe (cellular core)	ASTM F 1488
Coextruded composite PVC DWV schedule 40 IPS pipe (solid)	ASTM F 1488
Coextruded composite PVC DWV schedule 40 IPS pipe (cellular core)	ASTM F 1488; ASTM F 891
Coextruded composite ABS IPS-DR-PS DWV, PS140, PS200	ASTM F 1488
Coextruded composite PVC IPS-DR-PS DWV, PS140, PS200	ASTM F 1488
Coextruded composite ABS sewer and drain DR-PS in PS35, PS50, PS100, PS140, PS200	ASTM F 1488
Coextruded composite PVC sewer and drain DR-PS in PS35, PS50, PS100, PS140, PS200	ASTM F 1488
Coextruded composite PVC sewer and drain PS 25, PS 50, PS 100 (cellular core)	ASTM F 891
Concrete pipe	ASTM C 14; ASTM C 76; CSA A 257.1M; CSA A 257.2M
Copper or copper-alloy tubing (Type K or L)	ASTM B 75; ASTM B 88; ASTM B 251
Polyethylene (PE) plastic pipe (SDR-PR)	ASTM F 714
Polyolefin pipe	ASTM F 1412; CSA B181.3
Polyvinyl chloride (PVC) plastic pipe (Type DWV, SDR 26, SRD35, SDR41, PS50 or PS100)	ASTM D 2665; ASTM D 2949; ASTM D 3034; ASTM F 1412; CSA B182.2; CSA B182.4
Stainless steel drainage systems, Types 304 and 316L	ASME A112.3.1
Vitrified clay pipe	ASTM C 425; ASTM C 700

R 408.30536 Electrical, general, electrical conductors and connections and electrical grounding.

Rule 536. Sections E3301.1, E 3301.2, E3306.7, E3808.8.1, E3808.8.2, and table E3502.2 of the code are amended to read as follows:

E3301.1. Applicability. The provisions of chapters 33 to 42 of the code shall establish the general scope of the electrical system and equipment requirements of the code. Chapters 33 to 42 of the code cover those wiring methods and materials most commonly encountered in the construction of 1- and 2-family dwellings and structures regulated by the code. Other wiring methods, materials, and subject matter covered in the Michigan electrical code, R 408.30801 to R 408.30880 are also allowed by the code.

E3301.2. Scope. Chapters 33 to 42 of the code shall cover the installation of electrical systems, equipment, and components indoors and outdoors that are within the scope of the code, including services, power distribution systems, fixtures, appliances, devices, and appurtenances. Services within the scope of the code shall be limited to 120/240 volt, 0- to 400- ampere, single-phase systems. These chapters specifically cover the equipment, fixtures, appliances, wiring methods, and materials that are most commonly used in the construction or alteration of 1- and 2-family dwellings and accessory structures regulated by the code. The omission from these chapters of any material or method of construction provided by the Michigan electrical code, R 408.30801 to R 408.30880, shall not be construed as prohibiting the use of such material or method of construction. Electrical systems, equipment, or components not specifically covered in these chapters shall comply with the applicable provisions of the Michigan electrical code, R 408.30801 to R 408.30880.

E3306.7. Conductors of the same circuit. All conductors of the same circuit and, where used, the grounded conductor and all equipment grounding conductors shall be contained within the same raceway, cable, trench or cord.

TABLE E3502.2
MINIMUM SERVICE LOAD CALCULATION

LOADS AND PROCEDURE
3 volt-amperes per square foot of floor area for general lighting and general use receptacle outlets.
Plus
1,500 volt-amperes total number of 20-ampere-rated small appliance and laundry circuits.
Plus
The nameplate volt-ampere rating of all fastened-in-place, permanently connected or dedicated circuit-supplied motors and appliances such as ranges, ovens, cooking units, clothes dryers, and water heaters.
Apply the following demand factors to the above subtotal:
The minimum subtotal for the loads above shall be 100% of the first 10,000 volt-amperes of the sum of the above loads plus 40% of any portion of the sum that is in excess of 10,000 volt-amperes.
Plus the largest of the following:
Nameplate rating(s) of the air-conditioning and cooling equipment.
Nameplate rating(s) of the heating where a heat pump is used without any supplemental electric heating.
Nameplate rating of the electric thermal storage and other heating systems where the usual load is expected to be continuous at the full nameplate value. Systems qualifying under this selection shall not be figured under any other category in this table.
One hundred percent of nameplate rating of the heat pump compressor and 65 percent of the supplemental electric heating load for central electric space-heating systems. If the heat pump compressor is prevented from operating at the same time as the supplementary heat, the compressor load does not need to be added to the supplementary heat load for the total central electric space-heating load.
Sixty-five percent of nameplate rating(s) of electric space-heating units if less than 4 separately controlled units.
Forty percent of nameplate rating(s) of electric space-heating units of 4 or more separately controlled units.
The minimum total load in amperes shall be the volt-ampere sum calculated above divided by 240 volts.

E3808.8.1. Grounding of flexible metal conduit. Flexible metal conduit shall not be permitted as an equipment grounding conductor. E3808.8.2. Grounding of liquid-tight flexible metal conduit. Liquid-tight flexible metal conduit shall not be permitted as an equipment grounding conductor.

R 408.30539 Solvent cementing.

Rule 539. Section P3003.14.2 of the code is amended to read as follows:

P3003.14.2 Solvent cementing. Joint surfaces shall be clean and free from moisture. A primer that conforms to ASTM F 656, as listed in chapter 43, shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA B137.3 or CSA B181.2, as listed in chapter 43, shall be applied to all joint surfaces. The joint shall be made while the cement is wet, and shall be in accordance with ASTM D 2855, as listed in chapter 43. Solvent-cement joints shall be permitted above or below ground.

R 408.30540 Elevators and platform lifts.

Rule 540. Sections R323.1 and R323.2 of the code are amended to read as follows:

R323.1. Elevators. Where provided, passenger elevators, limited-use/limited-application elevators or private residence elevators shall comply with the Michigan elevator rules R 408.7001 to R 408.8695.

R323.2. Platform lifts. Where provided, platform lifts shall comply with the Michigan elevator rules R 408.7001 to R 408.8695.

R 408.30543 Boiler low-water cutoff.

Rule 543. Section M2002.5 of the code is amended to read as follows:

M2002.5. Boiler low-water cutoff. All steam and hot water boilers shall be protected with a low-water cutoff control. The low-water control shall automatically stop the combustion operation of the appliance when the water level drops below the lowest safe water level as established by the manufacturer. The low-water cut off on all low-pressure boilers shall be installed in accordance with the Michigan boiler rules, R 408.4001 to R 408.5507.

A low-water cutoff shall be of the float or probe type or paddle-type non-reversing flow switch.

R 408.30544 Light, ventilation and heating.

Rule 544. Section R303.4.2 of the code is amended to read as follows:

R303.4.2. Exhaust openings. Outside exhaust openings shall be located as not to create a nuisance. Exhaust openings shall not be directed onto walkways. Exhaust openings shall not terminate within 2 feet of a ventilated section in a soffit.

R 408.30545 Exterior covering.

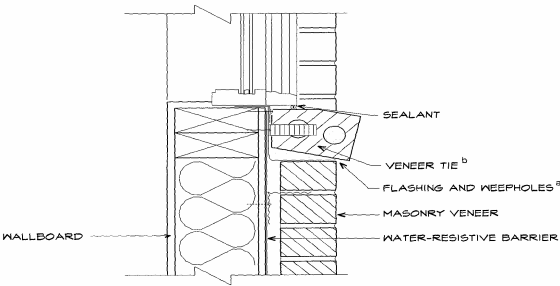
Rule 545. Sections R703.7.3, R703.7.4.1, 703.7.5 and R703.7.6 and figures R703.7, R703.7.2.1, and R703.7.2.2, of the code are amended to read as follows:

R703.7.3. Lintels. Masonry veneer shall not support any vertical load other than the dead load of the veneer above. Veneer above openings shall be supported on lintels of noncombustible materials and the allowable span shall not exceed the values set forth in Table R703.7.3 of the code. The lintels shall have a length of bearing not less than 4 inches (102 mm). Steel lintels shall be corrosion-resistant.

R703.7.4.1. Size, spacing, and corrosion protection. Veneer ties, if strand wire, shall not be less in thickness than no. 9 U.S. gauge [(0.148 in.) (4 mm)] wire and shall have a hook embedded in the mortar joint, or if sheet metal, shall be not less than no. 22 U.S. gauge [(0.0299 in.) (0.76 mm)] by 7/8 inch (22 mm) corrugated. Each tie shall be spaced not more than 24 inches (610 mm) on center horizontally and vertically and shall support not more than 2.67 square feet (0.25 m²) of wall area. Corrosion protection shall be provided for all veneer ties as required by section R606.15.1 of the code.

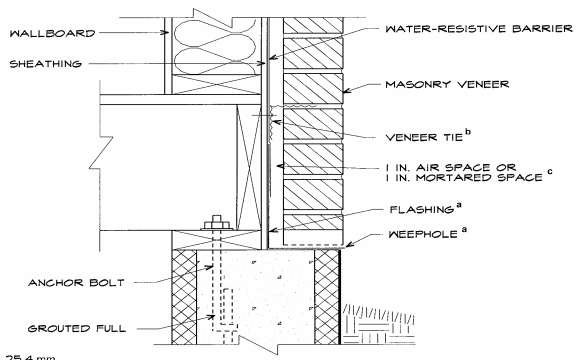
703.7.5. Flashing. Approved flashing shall be installed beneath the first course of masonry above finished ground level above the foundation wall or slab and at other points of support, including structural floors, shelf angles and lintels when masonry veneers are designed in accordance with section R703.7 of the code. See section R703.8 of the code for additional requirements.

R703.7.6. Weepholes. Weepholes shall be provided in the outside wythe of masonry walls at a maximum spacing of 33 inches (838 mm) on center. Weepholes shall not be less than 3/16 inch (5 mm) in diameter. Weepholes shall be located immediately above and directly on the flashing.



FOR SI: 1 INCH = 25.4 mm

FIGURE R103.7
MASONRY VENEER WALL DETAILS
(CONTINUED)



FOR SI: 1 INCH = 25.4 mm

FIGURE R103.7
MASONRY VENEER WALL DETAILS
(CONTINUED)

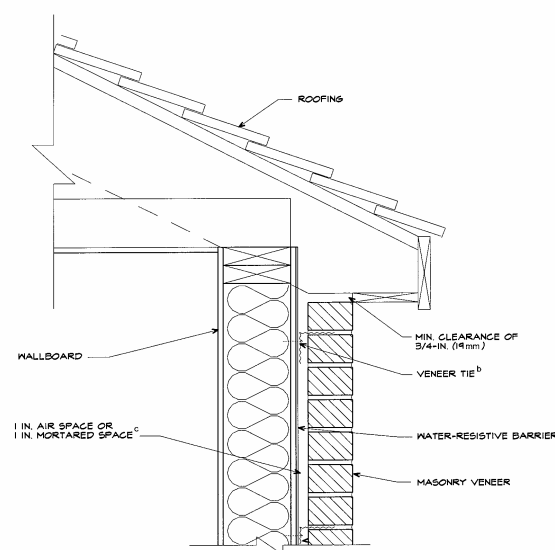


FIGURE R103.1-CONTINUED
MASONRY VENEER WALL DETAILS

FOR SI: 1 INCH = 25.4 mm

- ^a SEE SECTIONS R103.1.5, R103.1.6 AND R103.8.
- ^b SEE SECTIONS R103.2 AND R103.1.4.
- ^c SEE SECTIONS R103.1.4.2 AND R103.1.4.3.
- ^d SEE SECTION R103.1.3.

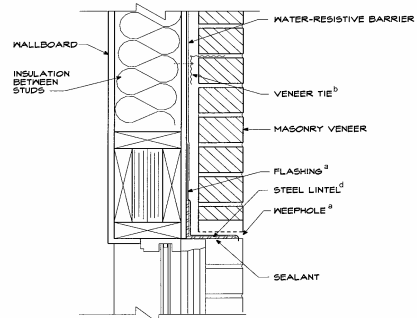
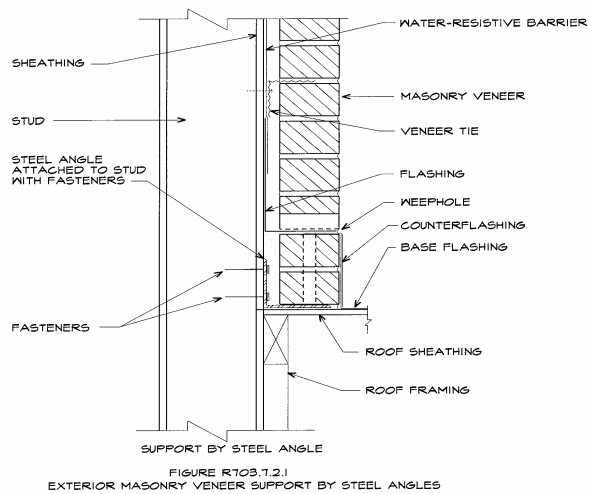
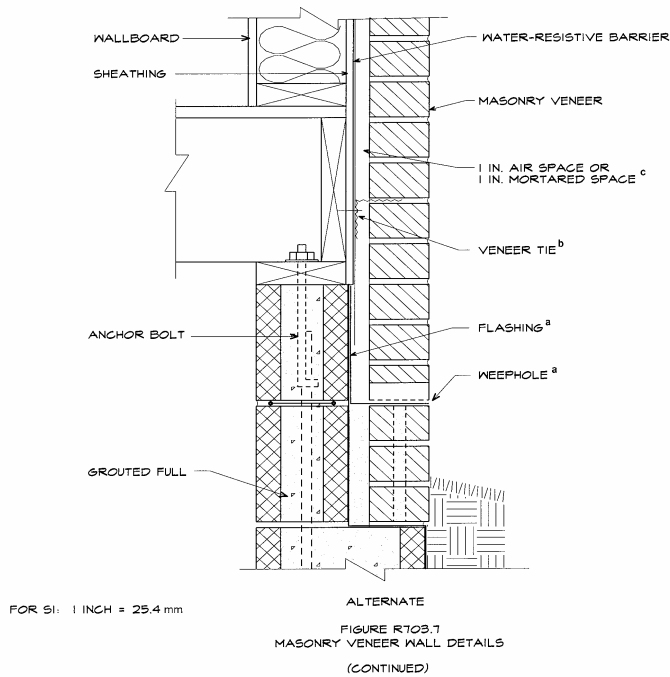
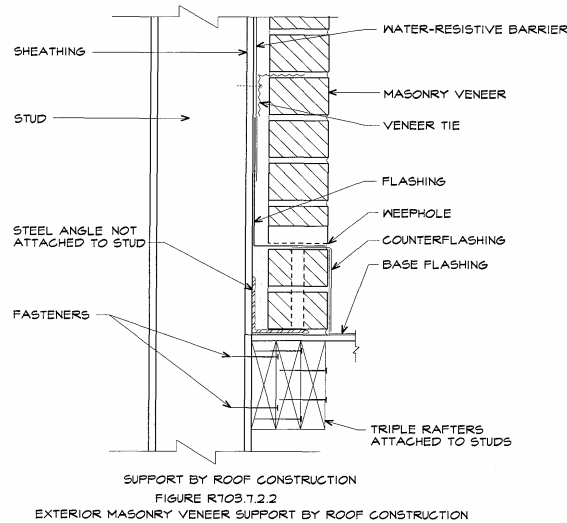


FIGURE R103.1-CONTINUED
MASONRY VENEER WALL DETAILS

FOR SI: 1 INCH = 25.4 mm

- ^a SEE SECTIONS R103.1.5, R103.1.6 AND R103.8.
- ^b SEE SECTIONS R103.2 AND R103.1.4.
- ^c SEE SECTIONS R103.1.4.2 AND R103.1.4.3.
- ^d SEE SECTION R103.1.3.





R 408.30546 Smoke alarm locations.

Rule 546. Sections R313.4 and R313.-5 of the code are amended to read as follows:

R313.4. Smoke alarm locations in existing buildings constructed before November 6, 1974. Within each dwelling unit or sleeping unit, a single-station smoke alarm shall be installed in the following locations:

1. In each sleeping room or each area directly outside the sleeping room.
2. On each floor level including the basement level.

For sleeping units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than 1 full story below the upper level.

R313.5. Equipment requirements. The required equipment for smoke alarms shall consist of the following:

1. Installation. Smoke alarm devices shall be listed and installed in accordance with the manufacturer's installation requirements, the provisions of the code and the provisions of NFPA 72 as listed in chapter 43.

2. Power Source. The equipment shall be operable by power from 1 of the following primary sources.

- a. The building wiring provided that such wiring is served from a commercial source and is equipped with a battery backup. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

- b. A non-rechargeable battery that is capable of operating the smoke alarm in the normal condition for a life of 5 years.

- c. A rechargeable battery, with proper charging, able to power the alarm for a life of 5 years and shall be automatically recharged by an AC circuit of the commercial light and power source.

d. A household use alarm system with battery backup listed and approved in accordance with the household fire warning equipment provisions of NFPA 72, as referenced in Section R313.4 of the code.

3. Audible Alarm Notification. The activation of the alarm signal shall produce a sound that is audible in all occupiable dwelling areas.

4. Testing and Maintenance. The owner of a dwelling unit, in which required or optional fire detection or fire protection systems equipment is installed, shall be responsible for the proper operation, testing, and maintenance of the equipment in accordance with the manufacturer's instructions included with the equipment. The occupant of rental dwelling units shall be responsible for the periodic operational testing and periodic cleaning of the installed equipment within the rental unit in accordance with the testing instructions provided in the manufacturer's instructions for the equipment. If the system fails, breaks, or is out of service, it shall be repaired and functional within 30 days.

Exception: Smoke alarms and devices installed in buildings constructed before November 6, 1974 where an installation was approved by the appropriate enforcing agency under regulations in effect at the time of the installation shall be considered to comply with the provisions of the code.

R 408.30547. Barrier requirements.

Rule 547. Section AG105.5 of the code is amended to read as follows.

Section AG105.5. Barrier exceptions. Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in section AG107 of the code, shall be exempt from the provisions of sections AG105.2, AG105.3, and AG105.4 of the code.

ADMINISTRATIVE RULES

SOAHR 2006-003

DEPARTMENT OF LABOR & ECONOMIC GROWTH

DIRECTOR'S OFFICE

CONSTRUCTION CODE

Filed with the Secretary of State on April 2, 2008

These rules take effect 120 days after filing with the Secretary of State

(By authority conferred on the director of the department of labor and economic growth by section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 1996-2 and 2003-1, MCL 445.2001 and 445.2011)

R 408.30551, R 408.30556, R 408.30557, R 408.30561, R 408.30562, R 408.30564, R 408.30565, R 408.30566, R 408.30568, R 408.30569, R 408.30570, R 408.30571, R 408.30572, R 408.30573, R 408.30574, R 408.30575, R 408.30576, R 408.30577 of the Michigan Administrative Code are amended to read as follows:

REHABILITATION CODE

R 408.30551 Applicable code.

Rule 551. The international existing building code, 2006 edition, including appendix A and resource A, hereinafter referred to as "the code," is adopted by reference, as provided in MCL 24.232, as the "Michigan rehabilitation code for existing buildings" with the exception of sections 104.8, 108.2 to 108.6, 114.3, 605.1.1 to 605.2, 706.2, 706.3 and 1104.1.1 to 1104.1.4, 1105.15 and Appendix B, and as otherwise noted in these rules. The international existing building code, 2006 edition is available for inspection at the Okemos office of the Michigan Department of Labor & Economic Growth, Bureau of Construction Codes or from International Code Council, 500 New Jersey Avenue, N.W., 6th Floor, Washington, D.C. 20001, at a cost as of the time of adoption of these rules of \$47.00.

R 408.30556 Elevators.

Rule 556. Section 802.1.2 of the code is amended as follows:

802.1.2. Elevators. Where there is an elevator or elevators for public use, at least 1 elevator serving the work area shall comply with this section. Existing elevators with a travel distance of 25 feet (7620 mm) or more above or below the main floor or other level of a building and intended to serve the needs of emergency personnel for fire fighting or rescue purposes shall be provided with emergency operation in accordance with the Michigan elevator code. New elevators shall be provided with phase I emergency recall operation and phase II emergency in-car operation in accordance with the Michigan elevator code.

R 408.30557 Definitions.

Rule 557. The definition of act and building official are added to section 202 of the code to read as follows: 202. Definitions.

“Act” means 1972 PA 230, MCL 125.1501 and known as the Stille-DeRossett-Hale single state construction code act.

"Building official" means the person who is appointed and employed by a governmental subdivision charged with the administration and enforcement of the state code or codes and who is registered in accordance with the requirements of 1986 P.A. 54, MCL 338.2301 to 338.2313. Where used in this code, the term code official means "building official".

R 408.30561 Accessibility. Rule 561. Sections 308.1, 308.6, 308.7, 308.8.2 and 308.8.3 of the code are amended as follows:

308.1 Scope. A building, facility, or element that has a change in use group or occupancy load or alteration shall comply in accordance with the requirements of 1966 PA 1, MCL 125.1351 to 125.1356 and the Michigan building code, R 408.30401 to R 408.30547.

308.6 Alterations. A building, facility, or element that is altered shall comply with the applicable provisions in chapter 11 of the code and ICC/ANSI A117.1 listed in chapter 35, unless technically infeasible. When compliance with this section is technically infeasible, then the alteration shall provide access to the maximum extent technically feasible.

Exceptions:

1. The altered element or space is not required to be on an accessible route, unless required by section 308.7 of the code.

2. Accessible means of egress required by chapter 10 of the code are not required to be provided in existing buildings and facilities.

3. Buildings, structures, or improved areas which exist on or before the effective date of these rules and which are in compliance with the code at the time of the issuance of the certificate of occupancy unless the alteration specifically modifies an area covered by sections 308.6 to 308.8 of the code.

4. The alteration to type A individually owned dwelling units within a group R-2 occupancy shall meet the provision for a type B dwelling unit and shall comply with the applicable provisions in chapter 11 and ICC/ANSI A 117.1 listed in chapter 35.

308.7 Alterations affecting an area containing a primary function. Where an alteration affects the accessibility to, or contains an area of, primary function, the route to the primary function area shall be accessible. The accessible route to the primary function area shall include toilet facilities or drinking fountains serving the area of primary function.

Exceptions:

1. This provision does not apply to alterations limited solely to windows, hardware, operating controls, electrical outlets, and signs.

2. This provision does not apply to alterations limited solely to mechanical systems, electrical systems, installation or alteration of fire protection systems, and abatement of hazardous materials.

3. This provision does not apply to alterations undertaken for the primary purpose of increasing the accessibility of an existing building, facility, or element.

308.8.2 Elevators. Altered elements of existing elevators shall comply with the Michigan elevator code, R 408.7001 to R 408.8695. Such elements shall also be altered in elevators programmed to respond to the same hall call control as the altered elevator.

308.8.3. Platform lifts. Platform (wheelchair) lifts complying with ICC/ANSI A 117.1 listed in chapter 35, and installed in accordance with the Michigan elevator code, R 408.7001 to R 408.8695 shall be permitted as a component of an accessible route.

R 408.30562 Submittal of documents.

Rule 562. Section 106.1 of the code is amended as follows:

106.1 Submittal of documents. Construction documents, special inspection and structural observation programs, investigation and evaluation reports, and other data shall be submitted in 1 or more sets with each application for a permit. The construction documents shall be prepared by or under the direct supervision of a registered design professional when required by 1980 P.A. 299, MCL 339.101 to 339.2721. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

R 408.30564 Elevator control.

Rule 564. Section 1301.6.14 of the code is amended as follows:

1301.6.14 Elevator control. Evaluate the passenger elevator equipment and controls that are available to the fire department to reach all occupied floors. Elevator recall controls shall be provided in accordance with the Michigan elevator code, R 408.7001 to R 408.8695. Under the categories and occupancies in table 1301.6.14, determine the appropriate value and enter that value into table 1301.7 under safety parameter 1301.6.14, elevator control, for fire safety, means of egress, and general safety. The values shall be zero for a single-story building.

R 408.30565 Payment of fees.

Rule 565. Section 108.1 of the code is amended as follows:

108.1 Payment of fees. The fees prescribed by the act shall be paid to the enforcing agency of the jurisdiction before a permit to begin work may be issued. In addition, an amendment to a permit necessitating an additional fee shall not be approved until the additional fee has been paid.

R 408.30566 Smoke alarm locations.

Rule 566. Sections 401.4 and 401.5 are added to the code as follows:

401.4. Smoke alarm locations in existing buildings constructed before November 6, 1974. Within each dwelling unit or sleeping unit, a single-station smoke alarm shall be installed in the following locations:

1. In each sleeping room or each area directly outside the sleeping room.
2. On each floor level including the basement level.

For sleeping units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than 1 full story below the upper level.

401.5. Equipment Requirements. The required equipment for smoke alarms consist of the following:

1. Installation. Smoke alarm devices shall be listed and installed in accordance with the provisions of this code, the manufacturers installation requirements, and the provisions of NFPA 72 as listed in chapter 15.

2. Power Source. The equipment shall be operable by power from 1 of the following primary sources.

- a. The building wiring provided that such wiring is served from a commercial source and is equipped with a battery backup. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

- b. A non-rechargeable battery that is capable of operating the smoke alarm in the normal condition for a life of 5 years.

c. A rechargeable battery, with proper charging, able to power the alarm for a life of 5 years and shall be automatically recharged by an AC circuit of the commercial light and power source.

d. A household or commercial use alarm system with battery backup listed and approved in accordance with the household and commercial fire warning equipment provisions of NFPA 72, as adopted by reference in this rule.

3. Audible Alarm Notification. The activation of the alarm signal shall produce a sound that is audible in all occupiable dwelling areas.

4. Testing and Maintenance. The owner of a dwelling unit, in which required or optional fire detection or fire protection systems equipment is installed, shall be responsible for the proper operation, testing, and maintenance of the equipment in accordance with the manufacturer's instructions included with the equipment. The occupant of rental dwelling units shall be responsible for the periodic operational testing and periodic cleaning of the installed equipment within the rental unit in accordance with the testing instructions provided in the manufacturer's instructions for the equipment. If the system fails, breaks, or is out of service, it shall be repaired and functional within 30 days.

Exception: Smoke alarms and devices installed in buildings constructed before November 6, 1974 where an installation was approved by the appropriate enforcing agency under regulations in effect at the time of the installation shall be considered to comply with the provisions of the code.

R 408.30568 Altered area use and occupancy classification change.

Rule 568. Section 110.1 of the code is amended as follows:

110.1 Altered area use and occupancy classification change. An altered area of a building shall not be used or occupied, and a change in the existing occupancy classification of a building or portion thereof shall not be made until the building official has issued a certificate of occupancy in accordance with the act. The issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of the other ordinances of the jurisdiction.

R 408.30569 Minimum requirements.

Rule 569. Section 1005.1 of the code is amended as follows:

1005.1. Minimum requirements. Accessibility provisions for new construction shall apply to additions. An addition that affects the accessibility to, or contains an area of, primary function shall comply with the requirements of section 308.

R 408.30570 Board of appeals.

Rule 570. Sections 112.1 and 112.3 of the code are amended as follows:

112.1 Means of appeal. An interested person may appeal a decision of the enforcing agency to the board of appeals in accordance with the act. An application for appeal shall be based on a claim that the true intent of the code or the rules governing construction have been incorrectly interpreted, the provisions of the code do not apply, or an equal or better form of construction is proposed. The decision of a local board of appeals may be appealed to the construction code commission in accordance with the act and time frames.

Exception: Requests for barrier free design exception shall be in accordance with 1966 PA 1, MCL 125.1351 to 125.1356.

112.3 Qualification. The board of appeals shall consist of members who are qualified in accordance with the act.

R 408.30571 Violation penalties.

Rule 571. Section 113.4 of the code is amended as follows:

113.4 Violation penalties. (1) It is unlawful for any person, firm, or corporation to violate a provision of this code or fail to conform with any of the requirements thereof, or erect, construct, alter, extend, repair, move, remove, demolish, or occupy any building, structure, or equipment regulated by this code, or cause work to be performed or done in conflict with or in violation of the approved construction documents or directive of the enforcing agency or a permit or certificate issued under this code.

(2) A violator shall be assessed a fine in accordance with the act.

R 408.30572 Stop work order.

Rule 572. Section 114.2 of the code is amended as follows:

114.2 Issuance. Upon notice from the enforcing agency, work on any building or structure that has been done contrary to this code or in a dangerous and unsafe manner shall immediately cease. Notice shall be in accordance with the act. A person who is served with a stop work order, except for work that the person is directed to perform to remove a violation or unsafe condition, is subject to the penalty provisions prescribed in the act.

R 408.30573 Change of occupancy. Rule 573. Section 308.4 of the code is amended as follows:

308.4. Change of occupancy. Unless technically infeasible, sections 308.5, 308.6, 308.7 and 308.8 of the code shall be applied in accordance with 1966 PA 1, MCL 125.1351 to 125.1356.

R 408.30574 Accessibility.

Rule 574. Section 605.1 of the code is amended as follows:

605.1 General. A building, facility, or element that is accessible shall remain accessible in accordance with the requirements of 1966 PA 1, MCL 125.1351 to 125.1356 and the Michigan building code, R 408.30401 to R 408.30547.

R 408.30575 High-rise buildings.

Rule 575. Section 802.1 of the code is amended as follows:

802.1 High-rise buildings. Any building having 1 or more occupied floors located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access shall comply with the requirements of sections 802.1.1 and 802.1.2.

Exception: The provisions of sections 802.1.1 and 802.1.2 shall apply to buildings having occupied floor levels more than 75 feet above the lowest level of fire department vehicle access where the local unit of government has complied with the provisions of section 403.1 of the Michigan building code, exception 6.

R 408.30576 Accessibility requirements.

Rule 576. Sections 906.1 and 1104.1 of the code are amended as follows:

906.1 General. Accessibility in portions of buildings undergoing a change of occupancy classification shall comply with the provisions of section 308.4.

1104.1 Accessibility requirements. The provisions of section 308 shall apply to buildings and facilities designated as historic structures that undergo alterations, unless technically infeasible. Where compliance with the requirements for accessible routes, ramps, entrances, or toilet facilities would threaten or destroy the historic significance of the building or facility, as determined by the code official, the alternative requirements of sections 1104.1.1 to 1104.1.5 for that element shall be permitted.

R 408.30577 Applicability.

Rule 577. Sections 706.1 and 806.1 are added to the code and 1301.2 of the code is amended as follows:

706.1 General. A building, facility, or element that is altered shall comply with section 308.

806.1 General. A building, facility, or element that is altered shall comply with section 308.

1301.2 Applicability. Structures existing before November 6, 1974, in which there is work involving additions, alterations, or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of chapters 4 through 12 of the code. The provisions in sections 1301.2.1 to 1301.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in groups A, B, E, F, M, R, and S. The provisions of this rule shall not apply to buildings with occupancies in group H or I.

**PROPOSED ADMINISTRATIVE RULES,
NOTICES OF PUBLIC HEARINGS**

MCL 24.242(3) states in part:

“... the agency shall submit a copy of the notice of public hearing to the State Office of Administrative Hearings and Rules for publication in the Michigan register. An agency's notice shall be published in the Michigan register before the public hearing and the agency shall file a copy of the notice of public hearing with the State Office of Administrative Hearings and Rules.”

MCL 24.208 states in part:

“Sec. 8. (1) The State Office of Administrative Hearings and Rules shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(d) Proposed administrative rules.

(e) Notices of public hearings on proposed administrative rules.”

PROPOSED ADMINISTRATIVE RULES

SOAHR 2007-037

DEPARTMENT OF ~~CONSUMER AND INDUSTRY SERVICES~~ **COMMUNITY HEALTH**

ADVISORY COMMITTEE ON SANITARIANS

REGISTRATION

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44 or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

*(By authority conferred on the **director of the department of community health** by ~~section sections 16145 and 18401 of Act No. 1978 PA 368, MCL 333.16145 and MCL 333.18401 368 of the Public Acts of 1978, as amended, being §333.16145 of the Michigan Compiled Laws and Executive Reorganization Order Numbers 1996-1, 1996-2 and 2003-1, MCL 330.3101, 445.2001 and 445.2011)~~*

Draft January 22, 2008

R 338.3901, R 338.3902, R 338.3903, R 338.3905, R 338.3906, and R 338.3908 are being amended and R 338.3906a and R 338.3910 are being added to the Michigan Administrative Code as follows:

R 338.3901 Definitions.

Rule 1. As used in these rules:

(a) ~~"Board" means the board of sanitarians.~~ **"Advisory committee" means the advisory committee on sanitarians.**

(b) ~~"Code" means Act No. 368 of the Public Acts of 1978, as amended, being §333.1101 et seq. of the Michigan Compiled Laws~~ **1978 PA 368, MCL 333.1101.**

(c) ~~"Completed an environmental health educational program acceptable to the board" means that the applicant has either completed an environmental health educational program approved by the board pursuant to the provisions of R 338.3903(1) or completed for academic credit, at an institution approved by the board, both of the following:~~

(i) ~~The equivalent of 15 semester hours in the following 3 categories, with not less than the equivalent of 3 semester hours in each category:~~

(a) ~~Chemistry: inorganic, organic, biochemistry, nuclear chemistry.~~

(b) ~~Physics: mechanics, heat, light, sound, magnetism, electricity, modern physics.~~

(c) ~~Biology: zoology, human physiology, ecology.~~

(ii) ~~The equivalent of 40 semester hours in the following areas:~~

(a) ~~microbiology: general, applied, environmental, immunology, virology.~~

(b) ~~Biostatistics.~~

(c) ~~Epidemiology.~~

(d) ~~Public health organization and administration.~~

~~(e) Environmental health: water and waste water, food and milk, air, vectors, shelter, solid wastes, accident prevention, occupational health, radiation, industrial hygiene, noise.~~

~~(f) Academic work study or field experience which provides exposure to the applied aspects of environmental health.~~

(c) “Completed an environmental health educational program acceptable to the advisory committee” means that an applicant has completed either of the following:

(i) An undergraduate or graduate environmental health educational program approved by the advisory committee pursuant to the provisions of R 338.3903(1) or (2).

(ii) An undergraduate or graduate program at an institution approved by the advisory committee pursuant to R 338.3903(3) or (4) that includes both of the following:

(A) The equivalent of 15 semester hours in the following 3 categories with the equivalent of at least 3 semester hours in each category:

(1) Chemistry: inorganic or organic.

(2) Physics.

(3) Biology: zoology, human physiology, or ecology.

(B) The equivalent of 40 semester hours in at least 2 of the following areas:

(1) Microbiology: general, applied, environmental, immunology, or virology.

(2) Biostatistics.

(3) Epidemiology.

(4) Public health organization and administration.

(5) Environmental health: water and waste water, food protection, air quality, vector control, housing, solid/hazardous waste, institutional/occupational health and safety, occupational health, radiation health, industrial hygiene, noise control, soil science, and recreational environmental health.

(6) Internship or international study which provides exposure to the applied aspect of environmental health.

(7) Technical report writing and risk communication.

(d) "Department" means the department of licensing and regulation community health.

R 338.3902 Registration by examination; requirements.

Rule 2. (1) An applicant for a sanitarian registration by examination shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and the administrative rules promulgated pursuant thereto to the code, an applicant shall satisfy all of the following requirements: 1 of the following requirements:

~~(a) The applicant shall have been granted a baccalaureate degree in science from an institution approved by the board and have completed an environmental health educational program that is acceptable to the board.~~

~~—(b) The applicant shall have obtained the equivalent of 3 years of experience in the field of environmental health by satisfying 1 of the following requirements:~~

~~—(i) The applicant shall have been employed full time for not less than 3 years in planning, developing, or implementing systems to improve the quality of air, water, food, or other environmental factors which affect the health of the public.~~

~~—(ii) The applicant shall have been granted a master's degree in a field related to environmental health practice from a college or university approved by the board and have been employed full time for not less than 2 years in planning, developing, or implementing~~

~~systems to improve the quality of air, water, food, or other environmental factors which affect the health of the public.~~

~~(iii) The applicant shall have been granted a doctorate degree in a field related to environmental health practice from a college or university approved by the board and have been employed full time for not less than 1 year in planning, developing, or implementing systems to improve the quality of air, water, food, or other environmental factors which affect the health of the public.~~

~~As used in this subdivision, the term "full time" means not less than an average of 35 hours per week.~~

(a) An applicant shall have been granted a baccalaureate degree in science from an institution that meets the accreditation standards in R 338.3903(3) and (4) and shall have completed an environmental health educational program acceptable to the advisory committee, as defined in R 338.3901(c). An applicant also shall have been employed for not less than 4,000 hours in planning, developing, or implementing systems to improve the quality of air, water, food, or other environmental factors which affect the health of the public.

(b) An applicant shall have been granted a master's degree or doctorate in a field related to environmental health practice from an institution that meets the accreditation standards in R 338.3903(2) and (3) and shall have completed an environmental health educational program acceptable to the advisory committee, as defined in R 338.3901(c). An applicant also shall have been employed for not less than 2,000 hours in planning, developing, or implementing systems to improve the quality of air, water, food, or other environmental factors which affect the health of the public.

(c) An applicant shall submit proof of successful completion of an educational and experiential training program that is substantially equivalent to that required in subdivision (a) or (b) of this subrule. To determine whether an educational and experiential training program is substantially equivalent, the department shall consider the following factors:

(i) Course syllabi and length of the educational program.

(ii) Accreditation of the educational program.

(iii) Professional experience obtained after completion of the educational program, including, but not limited to, the length of the experience as well as the quality and comprehensiveness of the experience.

(e) (2) In addition to meeting the requirements of subdivision (a), (b), or (c) of subrule (1) of this rule, ~~The applicant shall achieve a converted score of not less than 75 on the registration of sanitarian~~ an applicant shall complete and pass the registered environmental health specialist/registered sanitarian examination developed by the professional examination service in conjunction with the national environmental health association. A passing score on the examination shall be the passing score established by the national environmental health association.

R 338.3903 ~~Adoption of accreditation standards by reference.~~ Accreditation standards; adoption by reference.

Rule 3. (1) The board advisory committee approves and adopts by reference the standards for accrediting environmental health baccalaureate programs developed and adopted by the national environmental health science and protection accreditation council, effective June 24, 2006, and entitled "Undergraduate Guidelines." The guidelines are available free of

charge from The National Environmental Health Science and Protection Accreditation Council, 2632 SE 25th Ave., Suite D, Portland, OR 97202 or from the council's website at <http://ehacoffice.org> at no cost. Copies of the guidelines are available for inspection and distribution at cost from the Michigan Advisory Committee on Sanitarians, Bureau of Health Professions, Department of Community Health, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909. ~~national council for accreditation of environmental health curricula in June, 1986, and entitled "Guidelines for Accreditation of Environmental Health Baccalaureate Programs."~~ The ~~board~~ **advisory committee** shall ~~consider~~ **deem as approved** any baccalaureate program in environmental health accredited by the ~~national council for accreditation of environmental health curricula~~ **national environmental health science and protection accreditation council** as an environmental health educational program. ~~approved by the board. Copies of the standards may be obtained, at no cost, from the Michigan Board of Sanitarians, P.O. Box 30018, Lansing, Michigan 48909, or from the National Council for Accreditation of Environmental Health Curricula, 720 South Colorado Boulevard, Denver, Colorado 80222.~~

(2) The advisory committee approves and adopts by reference the standards for accrediting environmental health graduate programs developed and adopted by the national environmental health science and protection accreditation council, effective August 1, 2006, and entitled "Guidelines for Accreditation of Environmental Health Science and Protection Master's Graduate Programs." The guidelines are available free of charge from The National Environmental Health Science and Protection Accreditation Council, 2632 SE 25th Ave., Suite D, Portland, OR 97202 or from the council's website at <http://ehacoffice.org> at no cost. Copies of the guidelines are available for inspection and distribution at cost from the Michigan Advisory Committee on Sanitarians, Bureau of Health Professions, Department of Community Health, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

~~(2) The board approves and adopts by reference the following standards for accrediting postsecondary institutions, which may be obtained from the regional accrediting body of the council on postsecondary accreditation at the identified cost:~~

~~—(a) The standards of the Middle States Association of Colleges and Schools Commission on Higher Education, 3624 Market Street, Philadelphia, Pennsylvania 19104, set forth in the document entitled "Characteristics of Excellence in Higher Education, Standards for Accreditation, December 1988," at no cost.~~

~~—(b) The standards of the North Central Association of Colleges and Schools Commission on Institutions of Higher Education, 159 North Dearborn Street, Chicago, Illinois 60601, set forth in the document entitled "A Handbook of Accreditation, 1988-89," at a cost of \$4.00.~~

~~—(c) The standards of the New England Association of Schools and Colleges, Inc. Commission on Institutions of Higher Education, 15 High Street, Winchester, Massachusetts 01890, set forth in the document entitled "Accreditation Handbook, 1983 Edition, 1989 Printing" at a cost of \$8.00.~~

~~—(d) The standards of the Northwest Association of Schools and Colleges Commission on Colleges, 3700 B University Way, N.E., Seattle, Washington 98105, set forth in the document entitled "Accreditation Handbook, 1988 Edition," at a cost of \$5.00.~~

~~—(e) The standards of the Southern Association of Colleges and Schools Commission on Colleges, 1866 Southern Lane, Decatur, Georgia 30033, set forth in the document entitled "Criteria for Accreditation, 1989-1990 Edition," at a cost of \$2.00.~~

~~—(f) The standards of the Western Association of Schools and Colleges Accrediting Commission for Senior Colleges and Universities, P.O. Box 9990, Mills College, Oakland, California 94613, set forth in the document entitled "Handbook of Accreditation, January 1988," at a cost of \$10.00.~~

~~—Copies of the standards are also available for inspection at the office of the Board of Sanitarians, 611 West Ottawa Street, Lansing, Michigan, and can be obtained at cost from the Board of Sanitarians, P.O. Box 30018, Lansing, Michigan 48909. An institution that is accredited by the council on postsecondary accreditation regional accrediting body of the region in which the institution is located shall be considered approved by the board.~~

(3) The advisory committee adopts by reference the recognition standards and criteria of the council for higher education accreditation (chea), effective January 2006, and the procedures and criteria for recognizing postsecondary accrediting agencies of the U.S. department of education, effective July 1, 2000, as contained in Title 34, Part 602 of the Code of Federal Regulations. Copies of the standards and criteria of the council for higher education accreditation and the U.S. department of education are available for inspection and distribution at cost from the Michigan Advisory Committee on Sanitarians, Bureau of Health Professions, Department of Community Health, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909. The chea recognition standards also may be obtained from the Council for Higher Education Accreditation, One Dupont Circle NW, Suite 510, Washington, DC 20036-1110, or from the council's website at <http://www.chea.org> at no cost. The federal recognition criteria may be obtained from the U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20006 or from the department's website at <http://www.ed.gov> at no cost.

(4) The advisory committee adopts by reference the following standards of the following postsecondary accrediting organizations, which may be obtained from the individual accrediting organization at the identified cost. Copies of these standards also are available for inspection and distribution at cost from the Michigan Advisory Committee on Sanitarians, Bureau of Health Professions, Department of Community Health, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909:

(a) The standards of the Middle States Commission on Higher Education, 3624 Market Street, Philadelphia, PA 19104, in the document entitled "Characteristics of Excellence in Higher Education: Eligibility Requirements and Standards for Accreditation," 2004 edition, which is available free of charge on the association's website at <http://www.msche.org> or for purchase at a cost of \$7.40 as of the time of adoption of these rules.

(b) The standards of the New England Association of Schools and Colleges, Inc., Commission on Institutions of Higher Education, 209 Burlington Road, Bedford, MA 07130, in the document entitled "Standards for Accreditation," 2005 edition, which is available free of charge on the association's website at <http://www.neasc.org>.

(c) The standards of the North Central Association of Colleges and Schools, The Higher Learning Commission, 30 North LaSalle Street, Suite 2400, Chicago, IL 60602, in the document entitled "Handbook of Accreditation," third edition, which is available for purchase through the association's website at <http://www.ncahigherlearningcommission.org> at a cost of \$30.00 as of the time of adoption of these rules.

(d) The standards of the Northwest Association of Schools, Colleges, and Universities, the Commission on Colleges and Universities, 8060 165th Avenue NE, Suite 100, Redmond, WA 98052, in the document entitled "Accreditation Handbook," 2003 edition, which is available for purchase through the association's website at <http://www.nwccu.org> at a cost of \$20.00 as of the time of adoption of these rules.

(e) The standards of the Southern Association of Colleges and Schools, Commission on Colleges, 1866 Southern Lane, Decatur, GA 30033, in the document entitled “Principles of Accreditation: Foundation for Quality Enhancement”, copyright 2004, which is available free of charge on the association’s website at <http://www.sacscoc.org> or for purchase at a cost of \$12.00 for members and \$24.00 for nonmembers as of the time of adoption of these rules.

(f) The standards of the Western Association of Schools and Colleges, the Accrediting Commission for Senior Colleges and Universities, 985 Atlantic Avenue, Suite 100, Alameda, CA 94501, in the document entitled “Handbook of Accreditation,” January 2001, which is available free of charge on the commission’s website at <http://www.wascweb.org> or for purchase at a cost of \$15.00 for member institutions and \$20.00 for nonmember institutions as of the time of adoption of these rules.

(g) The standards of the Western Association of Schools and Colleges, Accrediting Commission for Community and Junior Colleges, 10 Commercial Blvd., Suite 204, Novato, CA 94949, in the document entitled “Accreditation Reference Book,” August 2005, which is available free of charge on the commission’s website at <http://www.accjc.org>.

R 338.3905 Examination; eligibility requirements.

Rule 5. (1) ~~The As of January 1, 2005, board the department~~ adopts the ~~registration of~~ **sanitarian registered environmental health specialist/registered sanitarian** examination developed by ~~the professional examination service in conjunction with the national~~ environmental health association. A passing score on the examination shall be ~~a converted score of not less than 75.~~ **the passing score established by the national environmental health association.**

(2) ~~To assure eligibility for the next scheduled examination, an applicant shall file a completed application on a form provided by the department, together with the requisite fee, not less than 30 days before the examination date. To be eligible for the examination, an applicant shall meet both of the following requirements:~~ **the requirements in either of the following:**

~~(a) The applicant shall have been granted a baccalaureate degree in science from an institution approved by the board and have completed an environmental health educational program acceptable to the board.~~

~~—(b) The applicant shall have obtained the equivalent of 30 months of experience in the field of environmental health by satisfying 1 of the following requirements:~~

~~—(i) The applicant shall have been employed full time for not less than 30 months in planning, developing, or implementing systems to improve the quality of air, water, food, or other environmental factors which affect the health of the public.~~

~~—(ii) The applicant shall have been granted a master's degree in a field related to environmental health practice from a college or university approved by the board and have been employed full time for not less than 18 months in planning, developing, or implementing systems to improve the quality of air, water, food, or other environmental factors which affect the health of the public.~~

(a) An applicant shall have been granted a baccalaureate degree in science that meets the criteria in R 338.3901(c)(i) or (c)(ii)(A) and (B) from an institution that meets the accreditation standards in R 338.3903(1), (3) and (4). An applicant also shall have been employed for not less than 4,000 hours in planning, developing, or implementing systems to improve the quality of air, water, food, or other environmental factors which affect the health of the public.

(b) An applicant shall have been granted a master's or doctorate degree in a field related to environmental health practice that meets criteria in R 338.3901(c)(i) or (c)(ii)(A) and (B) from an institution that meets the accreditation standards in R 338.3903(2), (3) and (4). An applicant also shall have been employed for not less than 2,000 hours in planning, developing, or implementing systems to improve the quality of air, water, food, or other environmental factors which affect the health of the public.

~~(iii) The applicant shall have been granted a doctorate degree in a field related to environmental health practice from a college or university approved by the board and have been employed full-time for not less than 6 months in planning, developing, or implementing systems to improve the quality of air, water, food, or other environmental factors which affect the health of the public.~~

~~As used in this subrule, the term "full-time" means not less than an average of 35 hours per week.~~

~~(3) An applicant who fails to achieve a passing score on the examination after 2 attempts shall not be eligible to again sit for the examination until the applicant successfully completes a course or courses equivalent to not less than 4 semester hours in environmental health in an institution approved by the board.~~

R 338.3906 Registration by endorsement.

Rule 6. **(1) An applicant for a Michigan registration by endorsement shall submit a completed application on forms a form provided by the department, together with the requisite fee. In addition to meeting the other requirements of the code and administrative rules promulgated pursuant thereto to the code, an applicant shall satisfy both satisfy the educational and experiential requirements, as specified in R 338.3902(1)(a), (1)(b), or (1)(c) and satisfy the requirements of this rule.**

(2) An applicant who was first licensed in another state will be presumed to have met the requirements of sections 16186(1)(a) and (b) of the code, if he or she meets all of the following requirements:

(a) Verifies that he or she has been registered or licensed for a minimum of 3 of the last 4 years before the date of filing an application for registration as a sanitarian in Michigan. An applicant may submit either of the following as verification:

(i) Documentation of having been employed in another state as a registered or licensed sanitarian for the period of time specified under subdivision (a) of this subrule.

(ii) Documentation on the status of a registration or a license from all other states in which the applicant currently holds or has ever held registration or licensure. This shall include showing proof, on a form supplied by the department, of having no record of final or pending disciplinary action in all other states where the applicant currently holds or has ever held a registration or license.

~~(a) Satisfy those requirements in existence in this state at the time he or she was licensed in another state.~~

(b) Passed the registered environmental health specialist/registered sanitarian examination developed by the professional examination service in conjunction with the national environmental health association with a converted score of not less than 75. passing score recommended by the national environmental health association. An applicant who completed the registration of sanitarians environmental health proficiency examination developed by the professional examination service before January 1, 2005 shall have passed the examination with a converted score of not less than 75.

R 338.3906a Application for sanitarian re-registration; requirements.

Rule 6a. An applicant for re-registration as a sanitarian shall comply with either of the following:

(a) If the registration was lapsed for less than 3 years, the applicant shall submit a completed application on a form provided by the department together with the requisite fee.

(b) If the registration was lapsed for 3 or more years, the applicant shall do all of the following:

(i) Submit a completed application on a form provided by the department together with the requisite fee.

(ii) Retake the registered environmental health specialist/registered sanitarian examination developed by the national environmental health association.

(iii) Pass the examination with a passing score recommended by the national environmental health association.

R 339338.3908 Assessment of fines.

Rule 8. ~~(4)~~ When a fine has been designated as an available sanction for a violation of section 16221 of the code by section 16226 of the code, in the course of assessing a fine, a board shall take into consideration the following factors without limitation:

(a) The extent to which the registrant obtained financial benefit from any conduct comprising part of the violation found by the board.

(b) The willfulness of the conduct found to be part of the violation determined by the board.

(c) The public harm, actual or potential, caused by the violation found by the board.

(d) The cost incurred in investigating and proceeding against the licensee.

~~(2) A fine shall not exceed the sum of \$1,000.00 for each violation found to have been committed by the registrant.~~

R 338.3910 Prohibited conduct.

Rule 10. (1) In addition to the conflict of interest provisions of section 18413(1) of the code, a registered sanitarian shall not engage in conduct prohibited by this rule, which includes, but is not limited to, the following acts or omissions:

(a) Refusing to provide professional service to a person because of the person's race, creed, color, national origin, age, sex, sexual orientation, disability, or any basis proscribed by law.

(b) Engaging in harassment or unfair discrimination based on a person's race, creed, color, national origin, age, sex, sexual orientation, disability, or any basis proscribed by law.

(c) Involvement in a conflict of interest that interferes with the exercise of professional discretion or makes a client's interests secondary.

(d) Taking on a professional role when personal, scientific, professional, legal, financial, or other relationships could impair the exercise of professional discretion or make the interests of a client or interest group secondary to those of the registered sanitarian.

(e) Taking advantage of any professional relationship or exploiting others to further the registered sanitarian's personal, religious, political and/or business/financial interests.

(f) Involvement in a professional relationship with a current or former client and/or his or her immediate family in which there is a risk of exploitation or harm to the client.

(g) Soliciting or engaging in a sexual relationship with a current client that results in a conflict of interest.

(h) Failing to inform a client or interest group of his or her obligations and options in regard to environmental and public health issues.

(i) Failing to advise a client or interest group of applicable standards and statutes when rendering advice as a registered sanitarian.

(j) Offering professional consultation or taking professional action in a manner that will endanger the public health or the environment.

(2) As used in subdivisions (c), (d), (f), (g), (h), and (i) of subrule (1), “client” means an individual for whom sanitarian services are rendered by a sanitarian registered under Part 184 of the Public Health Code and covered by these rules.

NOTICE OF PUBLIC HEARING

**SOAHR 2007-037
NOTICE OF PUBLIC HEARING**

Advisory Committee on Sanitarians – Administrative Rules

The Department of Community Health will hold a public hearing on Thursday, May 1, 2008, at 9:00 a.m. at the Department of Community Health, Ottawa Building, 611 West Ottawa, Conference Room 1, Upper Level, Lansing, Michigan.

The public hearing is being held to receive comments from interested persons on amendments to the Sanitarian Administrative Rules. Public Act 308 of 2004 amended the Public Health Code to revise education and testing requirements that an individual must meet to be registered as a sanitarian. Public Act 308 provides for the adoption by reference of the standards of the National Environmental Health Association (NEHA) as they pertain to qualifications, education, and examinations. The Act also requires the Department to accept certification by NEHA of the successful completion of any education or examination for registration purposes. In addition, Public Act 308 permits the Department to adopt by rule any other or additional appropriate standards and to adopt any updates or amendments to the NEHA standards.

The rules are being promulgated under the authority of sections 16145 and 18401 of 1978 PA 368, MCL 333.16145 and MCL 333.18401 and Executive Reorganization Order Numbers 1996-1, 1996-2 and 2003-1, MCL 330.3101, 445.2001, and 445.2011. The rules will take effect immediately upon filing with the Secretary of State, unless specified otherwise in the rules.

Hearing comments may be presented in person, with written comments submitted at the time of presentation. Written comments also will be accepted until Thursday, May 8, 2008, at 5:00 p.m. at the following address or E-mail address. Address communications to:

Department of Community Health
Bureau of Health Professions – Sanitarian Advisory Committee Public Hearing
P.O. Box 30670
Lansing, MI 48909-8170
Attention: Liz Arasim, Policy Analyst
E-mail address: earasim@michigan.gov

A copy of the proposed rules may be obtained by contacting the Bureau at the address noted above. Electronic copies also may be obtained at www.michigan.gov/orr.

All hearings are conducted in compliance with the 1990 Americans with Disabilities Act. Hearings are held in buildings that accommodate mobility-impaired individuals and accessible parking is available. A disabled individual who requires accommodations for effective participation in a hearing should call Laurie VanBeelen at (517) 335-1341 to make the necessary arrangements. To ensure availability of the accommodation, please call at least 1 week in advance.

Date: April 1, 2008

SOAHR # 2007-037 CH

PROPOSED ADMINISTRATIVE RULES

SOAHR 2008-014

DEPARTMENT OF LABOR & ECONOMIC GROWTH

BUREAU OF COMMERCIAL SERVICES

RESIDENTIAL BUILDERS AND MAINTENANCE & ALTERATION CONTRACTORS

Filed with the Secretary of State on

These rules take effect immediately upon filing with the Secretary of State.

(By authority conferred on the director of the department of ~~consumer and industry services~~ **labor and economic growth** by 1980 PA 299, and Executive Reorganization Order No. 1996-2, MCL 339.308 and 445.2001)

Draft April 1, 2008

R 338.1521a, R 338.1560, and R 338.1562 are added to the Michigan Administrative Code as follows:

PART 2. LICENSES AND BONDS

R 338.1521a Requirements for examination.

Rule 21a. As a condition for approval to take the residential builder or maintenance and alteration contractor examination, applicants for licensure shall meet all other licensing requirements, including successful completion of the preclosure education requirements.

PART 6. EDUCATION

R 338.1560 Instructor qualifications.

Rule 60. An instructor of preclosure or continuing competency courses shall possess either of the following qualifications:

- (a) Be qualified pursuant to the requirements of MCL 339.2404b(4).
- (b) Be qualified by experience, education, or both, to supervise and instruct a preclosure or continuing competency course required pursuant to MCL 339.2404b, including at least 1 of the following:
 - (i) Properly licensed, certified or approved instructor at a high school, intermediate school district, community college, university, the bureau of construction codes, the Michigan occupational safety and health administration, other government agency, or a proprietary school licensed by the department.

- (ii) Currently licensed as a residential builder or maintenance and alteration contractor with at least 3 years of experience in the subject matter being taught.**
- (iii) Possess equivalent qualifications approved by the department.**

R 338.1562 School, institution, sponsor or instructor responsibilities.

Rule 62. (1) The school, institution, sponsor, or instructor, as determined appropriate by the department, shall do all of the following:

- (a) Submit to the department the qualifications of each instructor to be used in an approved course not fewer than 60 days before the instructor is scheduled to begin instruction. The department may waive this deadline at its discretion.**
- (b) Report student course completion to the department in a form and manner as prescribed by the department.**
- (c) Retain all course attendance records for a period of 5 years.**
- (2) Instructors shall be responsible for all of the following:**
 - (a) Compliance with all laws and rules relating to prelicensure and continuing competency courses pursuant to the act.**
 - (b) Providing students with current and accurate information.**
 - (c) Maintaining an environment conducive to learning.**
 - (d) Assuring and certifying attendance of students enrolled in courses.**
 - (e) Providing assistance to students and responding to questions relating to course materials.**

NOTICE OF PUBLIC HEARING

SOARH 2008-014
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
BUREAU OF COMMERCIAL SERVICES
BOARD OF RESIDENTIAL BUILDERS AND
MAINTENANCE AND ALTERATION CONTRACTORS
Rule Set 2008-014 LG
NOTICE OF PUBLIC HEARING
April 29, 2008
10:00 a.m.
2501 Woodlake Circle, Okemos, Michigan
Conference Room A

The Department of Labor and Economic Growth will hold a public hearing on April 29, 2008 at 10:00 a.m. at the Bureau of Commercial Services, 2501 Woodlake Circle, Okemos Michigan in Conference Room A. The hearing will be held to receive public comments on proposed changes to the Administrative Rules for the Board of Residential Builders and Maintenance and Alteration Contractors.

The proposed rule set 2008-014 LG defines terms used in Article 24 of the Occupational Code, 1980 PA 299; establishes qualifications for instructors of prelicensure education courses and establishes criteria to qualify for taking the residential builders or maintenance and alteration contractors examination.

These rules are promulgated by authority conferred on the Department of Labor and Economic Growth by 1980 PA 299, MCL 339.205, MCL 339.308 and MCL 339.2404b(5). The rules will take effect immediately upon filing with the Secretary of State.

The rule set 2008-014 LG is published on the Michigan Government web site at <http://www.michigan.gov/orr> and in the April 15, 2008 issue of the *Michigan Register*. Comments may be submitted to the following address by 1:00 P.M. on April 29, 2008. Copies of the draft rules may also be obtained by mail or electronic transmission at the following address:

Department of Labor and Economic Growth
Amy Shell, Bureau of Commercial Services
P. O. Box 30018
Lansing MI 48909-7518
Phone: (517) 241-9219
FAX: (517) 373-3085
E-mail: shella1@michigan.gov

The hearing site is accessible, including handicap parking. People with disabilities requiring additional accommodations in order to participate in the hearing (such as information in alternative formats) should contact the Bureau at (517)241-9265 14 days prior to the hearing date. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. Information at this meeting will be presented by speakers and printed handouts.

**ENROLLED SENATE AND HOUSE BILLS
SIGNED INTO LAW OR VETOED
(2008 SESSION)**

Mich. Const. Art. IV, §33 provides: “Every bill passed by the legislature shall be presented to the governor before it becomes law, and the governor shall have 14 days measured in hours and minutes from the time of presentation in which to consider it. If he approves, he shall within that time sign and file it with the secretary of state and it shall become law . . . If he does not approve, and the legislature has within that time finally adjourned the session at which the bill was passed, it shall not become law. If he disapproves . . . he shall return it within such 14-day period with his objections, to the house in which it originated.”

Mich. Const. Art. IV, §27, further provides: “No act shall take effect until the expiration of 90 days from the end of the session at which it was passed, but the legislature may give immediate effect to acts by a two-thirds vote of the members elected to and serving in each house.”

MCL 24.208 states in part:

“Sec. 8. (1) The State Office of Administrative Hearings and Rules shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.

(c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.”

**ENROLLED SENATE AND HOUSE BILLS
SIGNED INTO LAW OR VETOED
(2008 SESSION)**

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E. * Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
1		730	Yes	1/11	1/11	1/11/08	Education; other; references to "handicapped person" in school code; revise to "student with a disability", allow for transfer of public school academy assets and pupils to another public school, and revise effective date for school district consolidations. (Sen. J. Gleason)
2		545	Yes	1/16	1/16	1/16/08	Environmental protection; water pollution; storm water permits; provide waiver of fees for certain municipalities. (Sen. M. Jansen)
3	5123		Yes	2/7	2/7	2/7/08	Economic development; commercial redevelopment; obsolete requirement; modify. (Rep. S. Bieda)
4	5101		Yes	2/7	2/7	2/7/08	Economic development; neighborhood enterprise zones; eligibility; expand to include new facilities. (Rep. B. Farrah)
5		111	Yes	2/7	2/7	2/7/08	Mobile homes; other; penalties for park owners who fail to remit assessment tax; provide for. (Sen. R. Jelinek)

* - I.E. means Legislature voted to give the Act immediate effect.

** - Act takes effect on the 91st day after *sine die* adjournment of the Legislature.

*** - See Act for applicable effective date.

+ - Line item veto

- Tie bar

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E. * Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
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6		577	Yes	2/12	2/12	8/10/08	Construction; housing; certain requirements for residential owner-builders to comply with prior to sale of structure; clarify. (Sen. J. Gilbert)
7	4505		Yes	2/15	2/15	2/15/08	Traffic control; driver license; issuance of driver license to individual not lawfully in the United States; prohibit, and revise procedures for issuance of license. (Rep. C. Ward)
8		092	Yes	2/20	2/20	2/20/08	Environmental protection; permits; liquid industrial waste; exempt fats used to produce fuels, and make technical revisions. (Sen. R. Basham)
9		123	Yes	2/29	2/29	2/29/08	Businesses; nonprofit corporations; use of electronic communications; allow for nonprofit corporations. (Sen. A. Sanborn)
10		565	Yes	2/29	2/29	6/1/08	Crimes; larceny; shipping containers; include in crime of breaking and entering. (Sen. J. Gilbert)
11	4684		Yes	2/29	2/29	2/29/08	Liquor; other; serving alcohol to an individual who is intoxicated; clarify. (Rep. F. Accavitti)
12	5032		Yes	2/29	2/29	2/29/08	Land use; zoning and growth management; zoning enabling act; make corrective and technical revisions. (Rep. B. Byrum)

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*** - See Act for applicable effective date.

+ - Line item veto

- Tie bar

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E. * Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
13	5034		Yes	2/29	2/29	2/29/08 #	Agriculture; fertilizer; "agricultural use"; define. (Rep. J. Sheltroun)

14	5035		Yes	2/29	2/29	2/29/08	Agriculture; fertilizer; approval for ordinance regarding use of agricultural fertilizer; require by Michigan commission of agriculture. (Rep. J. Mayes)
15		097	Yes	2/29	2/29	6/1/08	Children; child care; requirement for licensees and registrants to notify parents of complaints of rule violations and investigations; establish. (Sen. B. Hardiman)
16		155	Yes	2/29	2/29	6/1/08 #	Criminal procedure; sentencing guidelines; crime of false report initiating special investigation; enact. (Sen. C. Brown)
17		630	Yes	2/29	2/29	2/29/08	Highways; name; certain portion of M-62; designate as the "Veteran's Memorial Highway". (Sen. R. Jelinek)
18		682	Yes	2/29	2/29	2/29/08	Agriculture; pesticides; distributors of agricultural pesticides; require to be licensed, and require out-of-state pesticide dealers to maintain a registered office. (Sen. M. McManus)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E. * Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
19	5021		Yes	3/6	3/7	3/7/08	Vehicles; equipment; certain visual displays for use in motor vehicles; revise requirements. (Rep. K. Angerer)
20	4650		Yes	3/6	3/7	3/7/08	Civil procedure; other; uniform foreign-country money judgments recognition act; create.

							(Rep. P. Condino)
21	5384		Yes	3/6	3/7	3/7/08	Energy; other; energy employment act; revise. (Rep. M. Nofs)
22	4220		Yes	3/12	3/12	3/12/08	Public employees and officers; ethics; school board member volunteer service in school district; allow under certain conditions. (Rep. J. Espinoza)
23	5535		Yes	3/13	3/13	3/13/08	Traffic control; other; enhanced driver license and enhanced official state personal identification card act; enact. (Rep. S. Tobocman)
24	5536		Yes	3/13	3/13	3/13/08 #	Criminal procedure; sentencing guidelines; sentencing guideline for crime of fraudulent certification or statement in applying for enhanced driver license or enhanced official state identification card; establish. (Rep. E. Clemente)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
25	5582		Yes	3/13	3/13	5/12/08 #	Aeronautics; other; aviation fuel used for certain purposes; exempt from taxation. (Rep. S. Bieda)
26	5583		Yes	3/13	3/13	5/12/08 #	Aeronautics; other; certain aviation fuel; exempt from motor fuel tax. (Rep. T. Schuitmaker)

27		530	Yes	3/13	3/13	3/13/08	Recreation; outdoor activities; noise emission from snowmobiles; provide standard. (Sen. J. Allen)
28		750	Yes	3/13	3/13	3/13/08	Veterans; employment; employment preference for honorably discharged veterans; modify residency requirement. (Sen. R. Basham)
29		1061	Yes	3/13	3/13	3/13/08	Insurance; other; captive insurance companies; regulate. (Sen. A. Sanborn)
30		1062	Yes	3/13	3/13	3/13/08 #	Business tax; other; taxation of captive insurance companies; exclude. (Sen. A. Sanborn)
31		654	Yes	3/13	3/13	3/13/08 #	State; identification cards; class 2 identification card; provide for. (Sen. A. Sanborn)
32		966	Yes	3/13	3/13	3/13/08	State; identification cards; personal identification cards; revise requirements for applications. (Sen. C. Brown)
33		206	Yes	3/13	3/13	9/1/08	Land use; planning; planning law consolidation; provide for. (Sen. P. Birkholz)

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- Tie bar

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E. * Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
34		523	Yes	3/13	3/13	3/13/08	Property; conveyances; transfer of certain state owned property in Lapeer county; provide for. (Sen. J. Gilbert)

35		1076	Yes	3/13	3/14	3/14/08	Economic development; downtown development authorities; issuance of qualified refunding obligations; revise. (Sen. A. Cropsey)
36		712	Yes	3/13	3/17	3/17/08 #	Traffic control; driver license; amendments regarding revised uniform anatomical gift act; provide for in vehicle code. (Sen. H. Clarke)
37		713	Yes	3/13	3/17	3/17/08 #	Criminal procedure; sentencing guidelines; sentencing guidelines for certain violations of the revised uniform anatomical gift act; enact. (Sen. J. Allen)
38		714	Yes	3/13	3/17	3/17/08 #	Health; anatomical gifts; amendments regarding revised uniform anatomical gift act; provide for in medical examiner law. (Sen. R. Kahn)
39	4940		Yes	3/13	3/17	5/1/08 #	Health; anatomical gifts; revised uniform anatomical gift law; create. (Rep. P. Condino)
40	4941		Yes	3/13	3/17	3/17/08 #	State; identification cards; amendments regarding revised uniform anatomical gift law; provide for in personal identification card law. (Rep. K. Angerer)

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- Tie bar

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E. * Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
41	4945		Yes	3/13	3/17	3/17/08 #	Health; anatomical gifts; amendments regarding revised uniform anatomical gift law; provide for in estates and protected individuals code. (Rep. B. Calley)

42	5184		Yes	3/20	3/20	3/20/08	Property; conveyances; certain property previously conveyed by the state to the city of Lansing; receive from the city of Lansing and reconvey with altered usage restrictions. (Rep. J. Bauer)
43		082	Yes	3/27	3/27	7/1/08	Vehicles; equipment; use of child safety restraint system or booster seat for certain children; require. (Sen. M. McManus)
44		364	Yes	3/27	3/27	3/27/08	Economic development; commercial redevelopment; corridor improvement authority act; modify. (Sen. G. Jacobs)
45	4763		Yes	3/27	3/27	3/27/08	Health; poisons; painting of old houses by volunteer neighborhood groups; exempt from lead-based paint activity certification requirement of public health code. (Rep. J. Mayes)
46		273	Yes	3/27	3/27	3/27/08	Children; protection; procedure regarding follow-up to report of child abuse or neglect that involves a licensed or registered facility or home; clarify. (Sen. B. Hardiman)

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- Tie bar

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E. * Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
47		667	Yes	3/27	3/27	3/27/08	Family law; marriage and divorce; persons authorized to solemnize marriage; allow county clerk in a county other than county in which clerk serves. (Sen. C. Brown)
48		815	Yes	3/27	3/27	1/1/08	Communications; telecommunications; ability of CMRS supplier or reseller to collect service charge; clarify.

							(Sen. B. Patterson)
49		1135	Yes	3/27	3/27	3/27/08	Local government; authorities; zoological authority; permit any county to create. (Sen. G. Jacobs)

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+ - Line item veto

- Tie bar

MICHIGAN ADMINISTRATIVE CODE TABLE
(2008 SESSION)

MCL 24.208 states in part:

“Sec. 8. (1) The State Office of Administrative Hearings and Rules shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(i) Other official information considered necessary or appropriate by the State Office of Administrative Hearings and Rules.”

The following table cites administrative rules promulgated during the year 2000, and indicates the effect of these rules on the Michigan Administrative Code (1979 ed.).

**MICHIGAN ADMINISTRATIVE CODE TABLE
(2008 RULE FILINGS)**

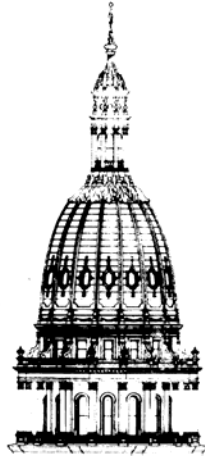
R Number	Action	2008 MR Issue	R Number	Action	2008 MR Issue	R Number	Action	2008 MR Issue
257.1603	*	2	299.9401	*	5	336.1113	*	6
285.637.1	*	4	299.9404	*	5	336.1114	*	6
285.637.2	*	4	299.9405	*	5	336.1122	*	6
285.637.3	*	4	299.9409	*	5	336.1401	*	2
285.637.4	*	4	299.9405	*	5	336.1401a	A	2
285.637.5	*	4	299.9409	*	5	336.1402	*	2
285.637.6	*	4	299.9503	*	5	336.1404	*	2
285.637.7	*	4	299.9408	*	5	336.1405	A	2
285.637.8	*	4	299.9409	*	5	336.1406	A	2
285.637.9	*	4	299.9503	*	5	336.1407	A	2
285.637.10	*	4	299.9519	*	5	336.1420	A	2
285.637.11	*	4	299.9521	*	5	339.16001	*	4
285.637.12	*	4	299.9605	*	5	339.16003	*	4
285.637.13	*	4	299.9607	*	5	339.16021	*	4
285.637.14	*	4	299.9608	*	5	339.16025	*	4
285.637.15	*	4	299.9609	*	5	339.16026	A	4
285.637.17	*	4	299.961	*	5	408.30401	*	6
299.9101	*	5	299.9612	*	5	408.30401a	A	6
299.9102	*	5	299.9613	*	5	408.30404	*	6
299.9104	*	5	299.9615	*	5	408.30405	*	6
299.9105	*	5	299.9623	*	5	408.30408	*	6
299.9203	*	5	299.9629	*	5	408.30410	*	6
299.9204	*	5	299.964	*	5	408.30411	*	6
299.9207	*	5	299.9705	*	5	408.30412	*	6
299.9212	*	5	299.9710	*	5	408.30414	*	6
299.9222	*	5	299.9808	*	5	408.30415a	*	6
299.9224	*	5	299.11001	*	5	408.30417	R	6
299.9225	*	5	299.11002	*	5	408.30418	*	6
299.9226	*	5	299.11003	*	5	408.30421	*	6
299.9227	*	5	299.11004	*	5	408.30427	*	6
299.9228	*	5	299.11005	*	5	408.30429	*	6
299.9231	A	5	299.11009	A	5	408.30432	*	6
299.9304	*	5	322.73	A	5	408.30437	*	6
299.9305	*	5	336.1102	*	6	408.30442	A	6
299.9306	*	5	336.1103	*	6	408.30444	R	6
299.9307	*	5	336.1104	*	6	408.30445	*	6
299.9308	*	5	336.1105	*	6	408.30446	*	6
299.9309	*	5	336.1109	*	6	408.30447	*	6
299.9310	*	5	336.1112	*	6	408.30448	*	6

(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

2008 MR 6 – April 15, 2008

R Number	Action	2008 MR Issue	R Number	Action	2008 MR Issue	R Number	Action	2008 MR Issue
408.30449	*	6	408.30545	*	6	418.101023	*	4
408.30451c	*	6	408.30546	*	6			
408.30457	*	6	408.30547	*	6			
408.30458	*	6	408.30551	*	6			
408.30459	A	6	408.30556	*	6			
408.30475	*	6	408.30557	*	6			
408.30495	*	6	408.30561	*	6			
408.30499	*	6	408.30562	*	6			
408.30503	*	6	408.30564	*	6			
408.30504	*	6	408.30565	*	6			
408.30505	*	6	408.30566	*	6			
408.30506	*	6	408.30568	*	6			
408.30507	*	6	408.30569	*	6			
408.30508	*	6	408.30570	*	6			
408.30509	*	6	408.30571	*	6			
408.30510	*	6	408.30572	*	6			
408.30511	*	6	408.30573	*	6			
408.30512	*	6	408.30574	*	6			
408.30513	*	6	408.30575	*	6			
408.30514	*	6	408.30576	*	6			
408.30516	*	6	408.30577	*	6			
408.30518	*	6	418.10104	*	4			
408.30520	*	6	418.10107	*	4			
408.30521	*	6	418.10504	*	4			
408.30522	*	6	418.10901	*	4			
408.30522a	*	6	418.10902	*	4			
408.30523	*	6	418.10909	*	4			
408.30525	*	6	418.10912	*	4			
408.30526	*	6	418.10913	*	4			
408.30528	*	6	418.10921	*	4			
408.30529	*	6	418.10922	*	4			
408.30530	*	6	418.10923	*	4			
408.30531	*	6	418.10923b	*	4			
408.30534	*	6	418.10925	*	4			
408.30536	*	6	418.101002a	*	4			
408.30539	*	6	418.101003	*	4			
408.30540	*	6	418.101003a	A	4			
408.30543	*	6	418.101005	*	4			
408.30544	*	6	418.101015	*	4			

(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)



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